

Title 10

VEHICLES AND TRAFFIC

Chapters:

10-1 Uniform Traffic Act

10-2 Parking

10-3 Regulations of Snowmobiles

10-4 Golf Carts

Chapter 10-1

UNIFORM TRAFFIC ACT

Sections:

- 10-1-1 Adoption of Uniform Traffic Act
- 10-1-2 Application of Act; Exception
- 10-1-3 Violations; Penalty

10-1-1 Adoption of Uniform Traffic Act. All ordinances of the Town of Alberton relating to the regulation of traffic within the (town) are hereby revised and re-codified by the Uniform Act Regulating Traffic on Highways as set forth in the statutes of the Montana Code Annotated as Title 61 and prosecuted as such in the city court.

10-1-2 Application of Act; Exception. All traffic within the Town of Alberton will be governed and regulated by the provisions of said Uniform Act Regulating Traffic on Highways as so set forth in the statutes of Montana; provided that the speed limit within the (town) limits shall be 15 miles per hour on all side streets Railroad Ave and Adams St will remain at 25 miles per hour.

10-1-3 Violations; Penalty. Any person who shall violate any of the provisions of this chapter shall, upon conviction, be punishable as set forth in Section 1-7-1 of this code, unless a stricter penalty is allowable under said Act.

MCA

Definitions.....	61-1-101 to	61-1-509
General Provisions.....	61-8-101 to	61-8-112
Traffic-Control Devices.....	61-8-201 to	61-8-210
Operations.....	61-8-301 to	61-8-369
Driving While Intoxicated.....	61-8-401 to	61-8-408
Pedestrians.....	61-8-501 to	61-8-509
Bicycles.....	61-8-601 to	61-8-608
Penalties.....	61-8-701 to	61-8-722
Abandoned Vehicles.....	61-12-401 to	61-12-408
Minors.....	61-12-601 to	61-12-603
Equipment.....	61-9-101 to	61-9-423

Amended 10-1-10-3 and adopted Superiors 10-1. 10/26/6. 08/04/09 10-1-2 changed speed limit to 15, added on all side streets Railroad Ave and Adams St will remain at 25 miles per hour. Final reading

Chapter 10-2

PARKING

Sections:

10-2-1 Parking

10-2-1 Parking. No parking shall be permitted on sidewalks. All parking must be parallel to the Curb. No car shall be parked so as to be facing oncoming traffic. No vehicle can be parked more than 72 hours. No repairs on any vehicle on City Streets.

Add: Chapter 10-2 Parking: No parking shall be permitted on sidewalks. All parking must be parallel to the Curb. No car shall be parked so as to be facing oncoming traffic. No vehicle can be parked more than 72 hours. No repairs on any vehicle on City Streets. 10-26-94. Amended: added 10-2-1 No parking which blocks access to designated driveways of properties. 06/01/04.

Chapter 10-3

REGULATIONS OF SNOWMOBILES

Sections:

- 10-3-1 Definition of Terms
- 10-3-2 Effect of Regulations
- 10-3-3 State Registration Required
- 10-3-4 Operations
- 10-3-5 Unlawful Operations
- 10-3-6 Operation on Private Property
- 10-3-7 Curfew
- 10-3-8 Riding on Streets, Roadways and Snowmobile Paths
- 10-3-9 Yield the Right of Way
- 10-3-10 Clinging to Vehicles
- 10-3-11 Parking
- 10-3-12 Riding on Sidewalks
- 10-3-13 Violations; Penalties

10-3-1 Definition of Terms. As used in this ordinance the following terms shall have the meanings indicated herein unless the context otherwise clearly requires that another meaning be intended:

- a) "Person" includes an individual, partnership, association, corporation and any other body or group of persons, whether incorporated or not, regardless of the degree of formal organization.
- b) "Snowmobile" includes any self-propelled, track-driven vehicle designed primarily for travel on snow or ice or natural terrain, which may be steered by wheels, skis, or runners and which is not otherwise registered or licensed under the laws of the State of Montana.
- c) "Owner" shall include every person as defined herein, other than a lien-holder or other person having a security interest only, holding a record title to a snowmobile, and entitled to the use or possession thereof.
- d) "Operator" shall include every person who operates or is in actual physical control of the operation of a snowmobile.
- e) "Roadway" shall include only those portions of any highway, road or street improved, designed, or ordinarily used for travel or parking of motor vehicles.

10-3-2 Effect of Regulations.

- a) It is a violation of this ordinance for any person to do any act forbidden or fail to perform any act required by this ordinance.
- b) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this ordinance.
- c) These regulations applicable to snowmobiles shall apply whenever a snowmobile is operated upon any street, or upon any public path set aside for the exclusive use of snowmobiles, subject to those exceptions stated herein.

10-3-3 State Registration Required. The owner of a snowmobile shall register such vehicle with the Registrar of Motor Vehicles of the State of Montana, and shall further comply with all provisions of the 1969 Snowmobile Act. The owner shall display in a conspicuous place on such registered vehicle, the registered number.

10-3-4 Operations.

- a) No person shall operate a snowmobile upon a controlled access highway or facility.
- b) A snowmobile may make a direct crossing of a street or highway where such crossing is necessary to get to another authorized area of operation. Such crossings shall be made at an angle of approximately ninety degrees (90) to the directions of the highway, at a place where no obstruction prevents a quick and safe crossing. The snowmobile shall make a complete stop before entering upon any part of the highway or road, and the operator shall yield the right of way to all oncoming traffic.
- c) No snowmobile shall be operated upon a public street or highway when permitted to do so by this ordinance, unless equipped with a brake light, at least one (1) head lamp and one (1) tail lamp, which shall be lighted at all times during such operation, and unless equipped with a suitable braking device which may be operated by either hand or foot.

10-3-5 Unlawful Operations. It shall be unlawful for any person to drive or operate any snowmobile in any one or more of the following manners:

- a) In violation of any statute of the State of Montana or ordinance of the Town of Alberton, Montana, regulating the operation of motor vehicles.
- b) In a careless or reckless manner so as to endanger the person or property of another, or to cause injury or damage to either.

- c) Operating a snowmobile or permitting such operation by any person who by reason of physical or mental disability is incapable of operating the snowmobile as required for safety under the prevailing circumstances.
- d) Without a muffler in good working order and in constant operation which prevents excessive or unusual noise and annoying smoke.
- e) To pull any sled or trailer or any other object without a "rigid type" hitch.

10-3-6 Operation on Private Property. Snowmobiles will not be operated on private property without the permission of the owner, and at no time shall they be operated on sidewalks or posted areas.

10-3-7 Curfew. No snowmobiling shall be done after the hour of 10:00 P.M. within the city, except in going to or returning from an evening ride

10-3-8 Riding on Streets, Roadways and Snowmobile Paths.

- a) Every person operating a snowmobile upon a street or roadway shall ride as near to the right hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- b) Persons riding snowmobiles upon a street or roadway shall not ride more than single file except on paths or parts of roadways set aside for the exclusive use of snowmobiles.

10-3-9 Yield the Right of Way. Emerging from alley, driveway, or building, snowmobile operators shall upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right of way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway.

10-3-10 Clinging to Vehicles. No person riding upon any snowmobile shall attach the same or himself to any vehicle upon the street or roadway.

10-3-11 Parking. No person shall park a snowmobile upon a street other than upon the roadway against the curb or upon the sidewalk in such a manner as to afford the least obstruction to pedestrian traffic.

10-3-12 Riding on Sidewalks. No person shall ride a snowmobile on any sidewalk.

10-3-13 Violations; Penalties. Violations of any section of this ordinance shall be misdemeanors, and punishable by fine or imprisonment or both as follows:

a) For careless or reckless operation of a snowmobile, or for the operation of a snowmobile while under the influence of intoxicants or narcotics, a fine of not more than one hundred dollars (\$100.00), or imprisonment for not more than thirty (30) days or both.

b) For violation of any other provision of this ordinance, or of any rule or regulation established hereunder, a fine of not to exceed one hundred fifty dollars (\$150.00).

Chapter 10-4

OPERATION OF GOLF CARTS ON TOWN ROADS

WHEREAS, the Alberton Town Council is charged with protecting the public safety and welfare of its citizens; and

WHEREAS, the Alberton Town Council finds that unregulated use of golf carts on public streets and roads is detrimental to the safety of the citizens of the Town of Alberton and is in violation of **MCA 61-8-391**.

Now THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Alberton Town Council of the Town of Alberton, County of Mineral, State of Montana as follows:

Section 10-4-01 Authority to Regulate

Pursuant to **MCA 61-8-391**, 2013, as enacted by the Montana legislature, the Town of Alberton is authorized, by ordinance, to enable and to regulate the operation of golf carts upon public streets, roads, and highways within the town where the speed limit is 25 miles per hour or less.

For the purpose of this ordinance, a “golf cart” is a vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour.

Section 10-4-02 Operation on Public Streets and Roads

It shall be unlawful to operate a golf cart on a public street, road, or highway right of way within the Town of Alberton except in accordance with the following provisions.

- a) Golf carts may not be operated on or in the right of way of a public street, road or highway with a posted speed limit of greater than 25 miles per hour.
- b) A person operating a golf cart under this section must have a valid driver’s license.
- c) A golf cart may not be operated on a public street or highway when permitted by this ordinance unless it is equipped with:
 - 1) at least one or not more than two headlamps;
 - 2) at least one tail lamp;
 - 3) at least one reflector;
 - 4) stop lamps;
 - 5) a horn; and
 - 6) a mirror that reflects to the driver a view of the highway
- d) Golf cart operators must carry their driver’s license on their persons at all times while operating a golf cart on public streets, roads or highways.
- e) In no instance shall a golf cart be operated at a speed greater than 20 miles per hour. Even at speeds at or below 20 miles per hour, no golf cart may be operated at a speed greater than is reasonable and prudent for the existing conditions.

- f) No golf cart may be operated in a careless or reckless manner.
- g) Golf carts must be operated at the right edge of the roadway and must yield to all vehicular and pedestrian traffic.
- h) Golf carts must be operated in accordance with all applicable state and local laws, regulations, and ordinances, including all laws, regulations and ordinances pertaining to the possession and use of alcoholic beverages. In addition, no golf cart containing any open container of alcohol shall be operated on public streets, roads, or highways.

Section 10-4-3 Violations and Penalties

Violations of any section of this ordinance shall be misdemeanors, and punishable by fine or imprisonment or both as follows:

- a) For careless or reckless operation of a golf cart, or for the operation of a golf cart while under the influence of intoxicants or narcotics, a fine of not more than one hundred (\$100.00), or imprisonment for not more than thirty (30) day or both.
- b) For violation of any other provision of this ordinance, or of any rule or regulation established hereunder, a fine of not to exceed one hundred fifty dollars (\$150.00)

Passed by the Town Council on first reading August 5, 2014.

Passed, adopted and approved on second reading September 8, 2014

TOWN OF ALBERTON:

BY: _____
Josh Acker, Mayor

ATTEST:

BY: _____
Diane Jodsaas/Clerk Treasurer