

ORDINANCE NO. 528**AN EMERGENCY ORDINANCE TO BAN THE CONSTRUCTION OF NEW OR ENLARGEMENT OF EXISTING "OFF-PREMISES" SIGNS AND BILLBOARDS:**

WHEREAS, the constitution of the State of Montana provides that all residents have a right to a clean and healthful environment; and

WHEREAS, the City of Polson has a compelling governmental interest in eliminating traffic hazards to motorists and pedestrians from distracting billboards and signs; and

WHEREAS, the City of Polson has a compelling interest to preserve and improve the City's appearance and scenic aesthetic qualities inherent to the area; and

WHEREAS, the Polson City Council has received numerous complaints regarding the construction of advertising signs and billboards adjacent to and within 600 feet of the right of way of U.S. Highway 93 within the Polson City limits; and

WHEREAS, the City of Polson has recently been informed that neither the Montana Department of Transportation nor the Federal Highway Administration will exercise the authority to enforce outdoor advertising regulations within the boundaries of the Flathead Indian Reservation; and

WHEREAS the City of Polson finds that restricting a proliferation of signs and billboards along the U.S. Highway 93 corridor through the Polson City Limits will protect the public health, safety and general welfare of its residents and will protect the scenic and aesthetic values of the area within the City limits while awaiting enactment of Appendix B to the City-County Zoning Master Plan adopted by the City on April 8, 1994, which Appendix addresses the issues of signs and billboards within the City limits.

NOW THEREFORE, it is resolved that the following Emergency Ordinance is hereby effective immediately:

B. Definitions.

(1) Off Premises sign. A sign not associated with the activity of the lot or tract upon which it is located and which advertises the goods and services of, or location of or direction to an activity, business or entity, either commercial or non commercial, located elsewhere.

C. Prohibition of Off-Premises Signs.

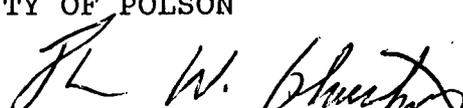
(1) Except as permitted in paragraph 2, below, the erection or enlargement of off premises signs is prohibited within 600 feet of the right of way of U.S. Highway 93 within the Polson City Limits.

(2) The following off premises signs are permitted.

(i) Signs directing traffic or providing direction to public facilities erected by a governmental agency.

PASSED AND ADOPTED THIS 16th day of May, 1994.

CITY OF POLSON



John W. Glueckert, Mayor

ATTEST:



Aggi Loeser, City Clerk