

**AN EMERGENCY ORDINANCE TO ADOPT POLSON CITY SIGN STANDARDS UNTIL CITY SIGN STANDARDS HAVE GONE INTO EFFECT:**

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 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 further 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 Polson Development Code.

WHEREAS, The City of Polson adopted the Polson Development Code on the March 7, 1994; and

WHEREAS, said Polson Development Code does not contain at this time provisions for Appendix B referred therein which would set forth Detailed Performance Standards for Signs; and

WHEREAS, the Polson City Code, a portion of which was repealed upon adoption of the Polson Development Code above-referenced, contained sign standard provisions under Title 11, sections 11.02.046, 047, 050, 051, 053, 054, 055, 056, 057, 058, and 059 as they pertained to the former respective zoning classifications; and

WHEREAS, the Polson City Council has resolved to adopt those sign standard provisions identified above under Title 11 of the prior Polson City Code, as Appendix B to the Polson Development Code adopted March 7, 1994, and as the same are relevant to similar zoning classifications under the Polson Development Code with the following modification:

A. 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.

B. 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 and the greater jurisdictional area of the Polson Master Plan adopted February 21, 1994.

(2) The following off premises signs are permitted.

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

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

1. Those provisions and sections as set forth and identified above as contained in the Polson City Code Title 11 prior to their repeal as the same related to sign standards as they relate to former respective zoning classifications, are hereby adopted and appended to the Polson Development Code adopted March 7, 1994 as the same are relevant to similar zoning classifications under the Polson Development Code, as Appendix B thereto, with the following modification:

A. 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.

B. Prohibition of Off-Premises Signs.

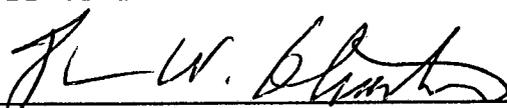
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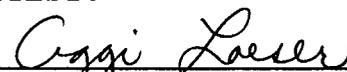
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PASSED AND ADOPTED THIS 19 day of September, 1994.

CITY OF POLSON

  
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John W. Glueckert, Mayor

ATTEST:

  
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Aggi Loeser, City Clerk