

CITY OF POLSON

ORDINANCE No. 2024-002

AN ORDINANCE OF THE CITY OF POLSON, MONTANA, CREATING A MUNICIPAL CODE ADDRESSING PRIVATE STREET SIGNAGE.

WHEREAS, the City of Polson has an interest in maintaining the health, safety, and welfare of the citizens of the City and its visitors;

WHEREAS, the City of Polson has a plethora of streets, avenues, roads, drives, highways, alleys, etc., that are privately owned, or otherwise known as private streets; **FURTHER**, these private streets are public right-of-ways given to the City of Polson by dedication, grant, operation of law, or otherwise;

WHEREAS, beyond the public right-of-way grant of access, these private streets are private property and the City has not accepted any obligation for repair and/or maintenance that is funded by the City of Polson;

WHEREAS, there is a need to identify private streets to the public; **FURTHER**, the City of Polson would identify private streets through signage that informs the public that a private street is not maintained by the City; and

WHEREAS, the Polson City Commission desires to create a municipal code to identify private streets and require signage to that affect; **FURTHER** that this municipal code be placed in Chapter 9, Streets, Sidewalks and Other Public Places, Article 2, Street Maintenance, Division 1, Private Street Identification and Signage, starting with Section 9.02.100 et seq.

NOW THEREFORE BE IT ORDAINED AS FOLLOWS that the following sections of the City of Polson Municipal Code be enacted the private street signage:

Chapter 9. – STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

ARTICLE 2. – STREET MAINTENANCE

Division 1. – Private Street Identification and Signage

Sec. 9.02.100 – Purpose.

- A. The citizens of the City of Polson should be informed about which public right-of-ways are considered private streets and not maintained and/or repaired by the City.
- B. “Private street” means a public right-of-way open to travel by the public, including but not limited to streets, avenues, roads, drives, highways, alleys, etc., in which the City of Polson has an interest by dedication, grant, operation of law, or otherwise, where the obligation to repair and maintain such a public right-of-way has not been accepted by the City of Polson, or is otherwise the responsibility of some other person or entity.
- C. “Public street” means a public right-of-way accepted by the City of Polson for the obligation to repair and maintain.

Sec. 9.02.105 – Private Street Identification.

- A. All private streets shall be identified during property development and/or subdivision review in accordance with the City of Polson Development Code and Standards for Design & Construction.
- B. The City of Polson shall identify all existing private streets that intersect public streets.

Sec. 9.02.110 – Private Street Signage Standards.

- A. All private street signage installed under this policy shall comply with the Manual of Uniform Traffic Control Devices, Polson Municipal Code, and Polson Standards for Design & Construction.

- B. All private street signage names shall be in title case font in white on a blue background with a white border, if a border is used. Private street signage shall be retroreflective or illuminated.
- C. Directly below the private street name shall be the marking "PRIVATE STREET" in upper case font. The marking "PRIVATE STREET" shall not be in a font size less than half of the private street name.
- D. Each private street signage installed and maintained by the City of Polson shall have a second sign install directly below stating " Not City Maintained" in the same style of the private street signage names, title case font in white on a blue background with a white border, if a border is used.
- E. Unnamed alleys that qualify as private streets shall be labeled "Private Alley" in title case font in white on a blue background with a white border.

Sec. 9.02.115 – Private Street Signage Maintenance.

- A. All private street signage installed at intersections of private streets and public streets shall be maintained by the City of Polson in accordance with section 9.02.110.
- B. All private street signage installed at internal intersections of two or more private streets shall be installed and maintained by and at the expense of the developer, property owners, or persons having right-of-access to the property in accordance with section 9.02.110.
- C. The City of Polson shall not install, maintain, or repair any street signage and/or traffic control devices located on private property.
- D. The initial installation of all private street signage, for new developments, property, etc., made after March 1, 2024, shall be at the cost of the developer or property owner(s) by whom the private street was dedicated in accordance with the City of Polson Development Code and Standards for Design & Construction.

Sec. 9.02.120 – Exceptions to Private Signage.

- A. Any private street signage deemed unnecessary by the Polson Municipal Development Code and Polson Standards for Design & Construction is exempt from this division.

Dated: 4th day of March, 2024. **Effective:** 18th day of April, 2024.

First reading and preliminary adoption on the 4th day of March, 2024:

___7___ ayes:

___ nays:

___ absent:

Second reading on the 18th day of March, 2024.

__7__ ayes:

___ nays:

___ absent:

Attest:

Approved:

Cora E. Pritt, City Clerk

Eric Huffine, Mayor