

STILLWATER COUNTY

ORDINANCE NO. 2016 - 04

South Grove Creek Road Speed Limit Ordinance

AN ORDINANCE TO ESTABLISH A SPEED LIMIT ON S. GROVE CREEK ROAD, (A GRAVEL ROAD) NEAR THE TOWN OF FISHTAIL, STILLWATER COUNTY, MONTANA, AND TO PROVIDE PENALTIES FOR VIOLATION THEREOF.

WHEREAS, Mont. Code Ann. Sections 7-14-2113 and 61-12-101 grant to the Stillwater County Commissioners the authority to establish a special speed limit on county roads within Stillwater county, to enact ordinances not in conflict with state or federal regulations, and to enforce said ordinances within the jurisdiction of Stillwater County; and

WHEREAS, pursuant to Mont. Code Ann. Section 61-8-310, if a local authority in its jurisdiction determines on the basis of an engineering and traffic investigation that the speed permitted under Sections 61-8-303, and 61-8-309 through 61-8-313 is greater or less than is reasonable and safe under the conditions found to exist upon a highway or part of a highway, the local authority may set a reasonable and safe limit; and

WHEREAS, the Board of County Commissioners requested a Speed Limit Investigation be conducted on South Grove Creek Road, located near Fishtail; and

WHEREAS, a Speed Limit Investigation was conducted by the Road and Bridge Department, and a final report was submitted to the Board of County Commissioners outlining the proposed speed zone on South Grove Creek Road near Fishtail; and

WHEREAS, adjusting the speed limit on South Grove Creek Road, as recommended by the evidence of the Speed Limit Investigation, is necessary to reduce the risk of accidents caused by higher speeds and is a more reasonable and safe maximum speed, given the conditions of the road and expected traffic in the speed zone area.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Stillwater County, Montana, that a speed limit ordinance on the S. Grove Creek Road, as described below, located near Fishtail, within Stillwater County, be enacted as follows in accordance with the Speed Limit Investigation:

1. **Application and Speed Limits:**

The Special Speed Limit of 25 mph shall apply to:

South Grove Creek Road (a gravel road), beginning at the intersection of said road, Davidson Creek Road and Grove Creek Road in the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 13, Township 4 South, Range 17 East, south through Govt. Lots 2 and 3 in Section 18, Township 4 South, Range 18 East, and continuing in a southerly direction along the section lines of the easterly boundary of said Section 13 and the westerly boundary of said Section 18 to the end of the county road at Govt. Lot 4 of said Section 18 and the S $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 13, approximately 4,775.82 feet, shall be posted at the recommended speed limit of 25 mph.

2. **Posting:**

The speed limit set by this Ordinance shall be posted as required by law or applicable regulations.

3. **Penalties:**

Penalty for violation of this Ordinance or any provision thereof shall be enforced according to Title 61, chapter 8, MCA, or any other applicable state or local law.

Date of First Reading and Approval:

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF STILLWATER COUNTY, MONTANA, this 30th day of August, 2016.

By: DO NOT COPY
Dennis Shupak
Dennis Shupak, Chair

Date: 8-30-2016

By: ABSENT
Maureen Davey, Member

Date: _____

By: DO NOT COPY
Gerald W. Dell
Gerald W. Dell, Member

Date: 8-30-2016

ATTEST:

DO NOT COPY
Heidi Stadel
Heidi Stadel, Clerk and Recorder



Date of Second Reading and Approval:

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF STILLWATER COUNTY, MONTANA, this 13th day of September, 2016.

By: DO NOT COPY
Dennis Shupak
Dennis Shupak, Chair

Date: 9-13-2016

By: DO NOT COPY
Maureen Davey
Maureen Davey, Member

Date: 9-13-2016

By: DO NOT COPY
Gerald W. Dell
Gerald W. Dell, Member

Date: 9-13-2016

ATTEST:

DO NOT COPY
Heidi Stadel
Heidi Stadel, Clerk and Recorder



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, Montana.