

BROADWATER COUNTY

ORDINANCE NO. 2021-_____

Rolling Glen Ranch Road Speed Limit Ordinance

AN ORDINANCE TO ESTABLISH A SPEED LIMIT ON ROLLING GLEN RANCH ROAD (A GRAVEL ROAD) LOCATED NORTH OF WHEATLAND ROAD IN SOUTHERN BROADWATER COUNTY, MONTANA AND TO PROVIDE PENALTIES FOR VIOLATION THEREOF.

WHEREAS, the Broadwater County Commission has received a request by petition to create a 35 miles-per-hour speed limit be set on Rolling Glen Ranch Road; and

WHEREAS, the current speed restrictions on Rolling Glen Ranch Road is 35 miles per hour; and

WHEREAS, Montana Code Annotated § 7-14-2113 grants a board of county commissioners authority to establish a special speed limit by ordinance in accordance with Montana Code Annotated § 61-8-310 on any county road; and

WHEREAS, Montana Code Annotated § 61-8-310 allows that if a local authority determines that the speed permitted under Montana Code Annotated § 61-8-303 is greater than is reasonable and safe under the conditions found to exist on the highway, a local authority may set a reasonable and safe limit that decreases the speed limit; and

WHEREAS, Montana Code Annotated § 61-8-310(1)(c) allows a local authority may set a reasonable and safe limit that decreases the limit outside an urban district to not less than 25 miles-per-hour on an unpaved road; and

WHEREAS, Rolling Glen Ranch Road is an unpaved county road that is outside an urban district; and

WHEREAS, an investigation into what is reasonable and safe for mile 1.4 to mile 1.6 of Rolling Glen Ranch Road has been completed by the Broadwater County Road Department; and

WHEREAS, the Broadwater County Road Department's analysis indicates that the current speed limit of 35 miles-per-hour is not reasonable and safe for mile 1.4 to mile 1.6 of Rolling Glen Ranch Road. However, a 25 miles-per-hour speed limit from mile 1.4 to mile 1.6 on Rolling Glen Ranch Road is reasonable and safe under the conditions found.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Broadwater County, Montana that a speed limit ordinance on Rolling Glen Ranch Road be enacted as follows:

SECTION 1. SPEED LIMIT ESTABLISHED

A regulatory speed limit of 25 miles-per-hour shall be established for Rolling Glen Ranch Road from mile 1.4 to mile 1.6.

SECTION 2. POSTING

Upon receiving notice of the regulatory speed limit established by the Ordinance, and after the passage of at least 30 days from the date the Ordinance is adopted, the Road and Bridge Department shall erect the appropriate signs giving drivers notice of the regulatory speed limit established by this Ordinance.

SECTION 3. Penalty

Penalty for violation of the Ordinance or any provision thereof shall be enforced according to Title 61, Chapter 8, MCA and the Broadwater County Code (if such is in effect at the time of violation), and any other applicable state or local law.

SECTION 4. SEVERABILITY

If any part of this Ordinance is held to be invalid, such invalidity shall not affect other parts which can be given effect without the invalid part. To the end, provisions of this Ordinance are to be severable.

SECTION 5. DURATION

This Ordinance shall remain in effect until repealed or suspended by other legislative or judicial action.

SECTION 6. CODIFICATION

If Broadwater County adopts a Broadwater County Code, the speed limit described in the Ordinance shall be listed referencing the purpose and findings in this Ordinance.

APPROVED AND INITIALLY ADOPTED AT FIRST READING THIS ____ DAY OF _____, 2021

Darrel Folkvord

Mike Delger

Debi Randolph

Attest: Clerk & Recorder

APPROVED AND ADOPTED AT SECOND READING THIS ____ DAY OF _____, 2021

Darrel Folkvord

Mike Delger

Debi Randolph

Attest: Clerk & Recorder