

RESOLUTION NO. 2016-183

**A RESOLUTION AUTHORIZING THE TOWING OF VEHICLES PARKED IN
RESTRICTED PARKING AREAS AND AMENDING
RESOLUTIONS NO. 91-067, 2011-073, and 2016-063**

WHEREAS, Resolution 91-067 and Resolution 2011-073 were adopted to regulate parking in the vicinity of Maclay Bridge and Resolution 2016-063 was adopted to regulate parking in or near the travel way of Kona Ranch Road and Sandalwood Court;

WHEREAS, there is a substantial increase in citizen calls for service that has caused the Missoula County Sheriff's Department to seek solutions to allocate resources based on priority of calls;

WHEREAS, a large number of calls for service during summer months involve neighbor complaints regarding parking near Maclay Bridge, Kona Bridge and other recreational sites in Missoula County;

WHEREAS, responding to parking complaints at bridges and recreation areas requires significant resources from the Missoula County Sheriff's Department;

WHEREAS, Montana Code Annotated § 7-14-2106 authorized the Board of County Commissioners to adopt regulations governing parking of motor vehicles in the vicinity of Maclay Bridge and on Kona Ranch Road and Sandalwood Court;

WHEREAS, parking in the restricted parking zones near Maclay Bridge and Kona Bridge constitutes a public nuisance rendering dangerous the passage on a public highway or right of way in violation of Montana Code Annotated § 45-8-111;

WHEREAS, Montana Code Annotated § 61-8-705 in conjunction with § 61-8-353 through § 61-8-355 authorizes the removal of illegally parked vehicles; and

WHEREAS, the utilization of private tow companies to tow vehicles in restricted parking areas on a routine basis will reduce the need for law enforcement response and is the most efficient and effective means to accomplish towing a vehicle;

NOW, THEREFORE, BE IT RESOLVED that the Missoula County Sheriff's Department is authorized to solicit bids for professional towing services for the restricted parking areas near Maclay Bridge and on Kona Ranch Road and Sandalwood Court and at any for any other restricted parking zone in Missoula County;

BE IT FURTHER RESOLVED that if an agreement is entered into between Missoula County and a private tow company pursuant to this resolution it must be limited to areas marked with official traffic control devices and signage and require the posting of additional signs by the tow company which includes the name and contact information for the tow company;

BE IT FURTHER RESOLVED that any tow companies retained for services pursuant to this resolution must comply with any other provisions of Title 61, Chapter 9 of the Montana Code Annotated and the Administrative Rules of Montana regarding professional tow operators.

Dated this 5 day of April, 2017.

ATTEST:


Clerk and Recorder



BOARD OF COUNTY COMMISSIONERS
MISSOULA COUNTY


Nicole Rowley, Chair
Missoula County Commissioner


Jean Curtiss
Missoula County Commissioner

UNAVAILABLE FOR SIGNATURE

Stacy Rye
Missoula County Commissioner