



**City of Missoula, Montana  
City Council Committee Agenda Item**

**Committee:** Public Works and Mobility

**Item:** An Ordinance to Amend Title 12 entitled “Streets, Sidewalks and Public Places”

**Date:** November 22, 2022

**Sponsor(s):** Ross Mollenhauer

**Prepared by:** Ashley Strayer

**Ward(s) Affected:**

<input type="checkbox"/> Ward 1	<input type="checkbox"/> Ward 4
<input type="checkbox"/> Ward 2	<input type="checkbox"/> Ward 5
<input type="checkbox"/> Ward 3	<input type="checkbox"/> Ward 6
<input checked="" type="checkbox"/> All Wards	<input type="checkbox"/> N/A

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**Action Required:**

Approve an Ordinance to Amend Title 12 entitled “Streets, Sidewalks and Public Places”

**Recommended Motion(s):**

I move the City Council: Set a Public Hearing on December 19, 2022 and approve/deny an Ordinance amending Missoula Municipal Code Title 12, entitled “Streets, Sidewalks, and Public Places,” by amending and establishing definitions in Chapter 12.02 entitled “Definitions,” amending language and department references in Chapter 12.10, entitled “Right-of-Way Improvements,” amending department references in Chapter 12.14, entitled “Right-of-Way Occupancy Permit,” amending department references in Chapter 12.16, entitled “Sidewalk Maintenance,” amending language in Chapter 12.17, entitled “Parking Facilities,” amending department references in Chapter 12.18, entitled “Sidewalk Cafés,” repealing 12.24.045 A-B and moving C to 12.24.020 J, repealing 12.24.050, repealing 12.24.070, repealing 12.24.080, repealing 12.24.090 A-D and moving E-F to 12.24.020 K-L, repealing 12.24.160, and amending language and department references in Chapter 12.24, entitled “Excavations,” amending department references in Chapter 12.28, entitled “Obstructions,” amending department references in Chapter 12.31, entitled “Fences.”

**Timeline:**

Committee discussion:	November 30, 2022
Council action (or sets hearing):	December 5, 2022
Public Hearing (if required):	December 19, 2022
Final Consideration	January 9, 2023
Deadline:	January 9, 2023

**Background and Alternatives Explored:**

Public Works and Mobility staff are seeking to amend sections of Title 12 code to bring this code into alignment with our current practices. A list of the specific proposed changes is attached to this referral as well as the redlined document showing all changes. Several of these changes are simply “house-keeping” modifications necessary because of things like the CPDI/PWM reorganization or updates to the City’s Public Works Manual. Other changes related to ROW improvements or driveways reflect recent decisions by City Engineering and will help to codify and clarify these decisions moving forward. Finally, TDS’s recent franchise agreement has

spurred a discussion on regulations for all non-municipal utilities in the ROW and how our current code for these utilities needed to be updated. Collectively, these changes are viewed as the low-hanging fruit that are less controversial than the larger topics to be tackled by the City's Code Reform team and consultant in the coming years.

**Financial Implications:**

N/A

**Links to external websites:**

N/A