



ORDINANCE 2162

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF BOZEMAN, MONTANA REVISING THE SPEED LIMIT ON WEST GRAF STREET, ON WEST OAK STREET, AND ON WEST KAGY BOULEVARD.

WHEREAS, Mont. Const. [Art. XI, § 4](#) mandates to liberally construe the powers of incorporated cities, and Mont. Const. [Art. XI, § 6](#) of the Montana Constitution expressly authorizes a local government unit with self-government powers to exercise any power not prohibited by the constitution, law, or charter; and

WHEREAS, the [Bozeman City Charter](#) establishes that the City of Bozeman is a local government that has adopted self-government powers which must be liberally construed; and

WHEREAS, [Strategic Plan 4.2, High Quality Urban Approach](#), establishes the city's goal of "continu[ing] to support high-quality planning;" and

WHEREAS, pursuant to the City's [Bozeman Streets Are For Everyone Safety Action Plan](#), reducing motor vehicle speed reduces the risk of severe and fatal crash injuries; and

WHEREAS, pursuant to [Bozeman Municipal Code Sec. 36.07.010](#), the director of transportation and engineering may, upon completion of an investigation and consultation with the chief of police, alter speed limits on city-controlled routes; and

WHEREAS, the Montana State Transportation Commission and the Montana Department of Transportation have jurisdiction over all state highways and highways located on the commission-designated highway system; and

WHEREAS, the City of Bozeman contracted a professional engineer to conduct speed studies on Oak Street and on Kagy Boulevard; and

WHEREAS, based on the results and recommendations of those speed studies, the City of Bozeman submitted a request to the Montana Department of Transportation to reduce the speed limit on Oak Street between North Seventh Avenue and North Nineteenth Avenue and on Kagy Boulevard between South Nineteenth Avenue and South Willson Avenue; and

Ordinance No. 2162, Revising Speed Limits

WHEREAS, at a meeting on April 29, 2024, the Montana State Transportation Commission, based on the City of Bozeman's request, approved revising speed limits on Oak Street and on Kagy Boulevard as recommended in by the aforementioned speed studies; and

WHEREAS, the City is amending its code so that all state highways and highways located on the commission-designated highway system within city limits comply with the speed limits established by the state.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOZEMAN, MONTANA:

Section 1

That Section 36.07.040, Bozeman Municipal Code, will be amended as follows:

Sec. 36.07.050. Graduated speed zones designated.

- A. In accordance with the provisions of section 36.07.020.A.5, or any applicable subsequent commission resolution, it is unlawful for any operator of any vehicle to drive at a speed greater than designated below upon the following streets:
1. *West Babcock Street.* The speed limit is 30 miles per hour on all that part of West Babcock Street from the west line of West Main Street to the east line of Cottonwood Road.
 2. *Baxter Lane.*
 - a. The speed limit is 35 miles per hour from the west line of North Seventh Avenue to a point approximately 1,000 feet west of North Seventh Avenue.
 - b. The speed limit is 45 miles per hour from a point approximately 1,000 feet west of North Seventh Avenue to a point approximately 1,200 east of North Nineteenth Avenue.
 - c. The speed limit is 35 miles per hour from a point approximately 1,200 feet east of North Nineteenth Avenue to the east line of North Nineteenth Avenue.
 - d. The speed limit is 30 miles per hour from the western line of North Nineteenth Avenue to Vaquero Parkway.
 - e. The speed limit is 30 miles per hour from the western line of Cottonwood Road to the western boundary of the city.
 3. *Bozeman Trail Road.* The speed limit is 40 miles per hour from the west line of Haggerty Lane to the north line of Kagy Boulevard.
 4. *Bridger Drive/Bridger Canyon Road.*

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- a. The speed limit is 35 miles per hour from the junction of Bridger Drive/Bridger Canyon Road with North Rouse Avenue to a point approximately 550 feet east of Story Mill Road.
 - b. The speed limit is 45 miles per hour from a point approximately 550 feet east of Story Mill Road east to the city limit.
5. *West College Street.* The speed limit is 35 miles per hour from the west line of South Nineteenth Avenue to the south line of West Main Street.
6. *Cottonwood Road.*
 - a. The speed limit is 35 miles per hour from Baxter Lane south to Huffine Lane.
 - b. The speed limit is 45 miles per hour from Huffine Lane south to the city limits.
7. *Davis Lane.* The speed limit is 30 miles per hour from the north line of West Oak Street to the south line of East Valley Center Road.
8. *Durston Road.*
 - a. The speed limit is 30 miles per hour from the west line of North Seventh Avenue west to the city limit.
9. *Ferguson Avenue.*
 - a. The speed limit is 30 miles per hour from the north line of Huffine Lane north to the south line of Baxter Lane.
10. *Fowler Avenue.* The speed limit is 30 miles per hour from the south line of Huffine Lane to the north line of Garfield Street.
11. *Frontage Road.*
 - a. The speed limit is 50 miles per hour from the junction of Frontage Road with North Seventh Avenue, northwest to the city limits.
 - b. The speed limit is 50 miles per hour from the junction of Frontage Road with East Main Street, at the I-90 interchange, to a point approximately 100 feet east of Hospitality Way.
 - c. The speed limit is 60 miles per hour from a point approximately 100 feet east of Hospitality Way east to the city limits.
12. *Garfield Street.* The speed limit is 30 miles per hour from the west line of South Nineteenth Avenue to the south line of Fowler Avenue.
13. *Griffin Drive.* The speed limit is 35 miles per hour from the east line of North Seventh Avenue to the west line of North Rouse Avenue.
14. *West Graf Street.* The speed limit is 30 mph from South ~~Eleventh~~ Nineteenth Avenue west to the city limit.
15. *Haggerty Lane.* The speed limit is 30 miles per hour from the west line of Bozeman Trail Road to Main Street.

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16. *Highland Boulevard.* The speed limit is 35 miles per hour from a point 400 feet north of Holly Drive to a point 225 feet south of East Curtiss Street.
17. *Huffine Lane.*
 - a. The speed limit is 45 miles per hour from the junction of Huffine Lane with West Main Street to a point approximately 260 feet west of Ferguson Avenue.
 - b. The speed limit is 55 miles per hour from a point approximately 260 feet west of Ferguson Avenue to west to the city limits.
18. *Kagy Boulevard.*
 - a. The speed limit is 30 miles per hour from the east line of South Nineteenth Avenue to the east line of South Willson Avenue.
 - ~~ba.~~ The speed limit is 35 miles per hour from the east line of South Willson ~~Nineteenth~~ Avenue to a point approximately 875 feet east of Highland Boulevard.
 - ~~cb.~~ The speed limit is 40 miles per hour from a point approximately 875 feet east of Highland Boulevard to Bozeman Trail Road.
19. *East Main Street.*
 - a. The speed limit is 40 miles per hour from a point approximately 300 feet east of Cypress Avenue to a point approximately 350 feet east of Haggerty Lane.
 - b. The speed limit is 50 miles per hour from a point approximately 350 feet east of Haggerty Lane to the junction with Frontage Road at the Interstate 90 overpass.
20. *West Main Street.*
 - a. The speed limit is 35 miles per hour from a point approximately 320 feet east of North Fifteenth Avenue to the west line of South Twenty-third Avenue.
 - b. The speed limit is 45 miles per hour from the west line of South Twenty-third Avenue to the junction of West Main Street with Huffine Lane.
21. *Manley Road.* The speed limit is 25 miles per hour from the north line of Griffin Drive north to the city limits.
22. *McIllhattan Road.* The speed limit is 30 miles per hour from the west line of Story Mill Road northwest to the city limits.
23. *North Nineteenth Avenue.*
 - a. The speed limit is 35 miles per hour from the south line of Durston Road to approximately 500 feet north of Durston Road.
 - b. The speed limit is 40 miles per hour from a point approximately 500 feet north of the south line of Durston Road to Springhill Road.
24. *South Nineteenth Avenue.*
 - a. The speed limit is 35 miles per hour from the north line of West Main Street to the south line of West College Street.

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- b. The speed limit is 40 miles per hour from the south line of West College Street to 200 feet south of West Graf Street.
 - c. The speed limit is 50 miles per hour from 200 feet south of West Graf Street south to 200 feet south of Blackwood Road.
25. *Oak Street.*
- a. The speed limit is 35 miles per hour from the west line of North Rouse Avenue to the east line of Cottonwood Road ~~North Eleventh Avenue~~.
 - ~~b. The speed limit is 45 miles per hour from the east line of North Eleventh Avenue to the east line of North Nineteenth Avenue.~~
 - ~~c. The speed limit is 35 miles per hour from the west line of North Nineteenth Avenue to the west line of Cottonwood Road.~~
26. *North Rouse Avenue.* The speed limit is 35 miles per hour from a point approximately 430 feet north of East Oak Street to the junction of North Rouse Avenue with Bridger Drive at Griffin Drive.
27. *North Seventh Avenue.*
- a. The speed limit is 35 miles per hour from a point approximately 380 feet north of Durston Road to a point approximately 610 feet north of West Oak Street.
 - b. The speed limit is 45 miles per hour from a point approximately 610 feet north of West Oak Street to a point approximately 1,720 feet north of Griffin Drive.
 - c. The speed limit is 50 miles per hour from a point approximately 1,720 feet north of Griffin Drive to the junction of North Seventh Avenue with East Frontage Road.
28. *Springhill Road.*
- a. The speed limit is 35 miles per hour from East Frontage Road north to a point 2,300 feet north of Moss Bridge Road.
 - b. The speed limit is 45 miles per hour from a point 2,300 feet north of Moss Bridge Road north to the city limits.
29. *Story Mill Road.* The speed limit is 30 miles per hour from the north line of Bridger Drive north to the city limits.
30. *South Third Avenue.* The speed limit is 35 miles per hour from the south line of West Graf Street south to the city limit.
31. *East Valley Center Road.*
- a. The speed limit is 45 miles per hour from North Nineteenth Avenue west a distance of approximately 2,830 feet.
 - b. The speed limit is 50 miles per hour from a point approximately 2,830 feet west of North Nineteenth Avenue to a point approximately 290 feet west of North Twenty-seventh Avenue.

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- c. The speed limit is 60 miles per hour from a point approximately 290 feet west of North Twenty-seventh Avenue west to 330 feet east of East Valley Center Spur.
- d. The speed limit is 45 miles per hour from a point 330 feet east of East Valley Center Spur west to the city limits.

Section 2

Repealer.

All provisions of the ordinances of the City of Bozeman in conflict with the provisions of this ordinance are, and the same are hereby, repealed and all other provisions of the ordinances of the City of Bozeman not in conflict with the provisions of this ordinance shall remain in full force and effect. The park speed limits repealed from BMC 36.07.040(A) will be in full force and effect pursuant to an order issued by the Director of Transportation and Engineering.

Section 3

Savings Provision.

This ordinance does not affect the rights and duties that matured, penalties that were incurred or proceedings that were begun before the effective date of this ordinance. All other provisions of the Bozeman Municipal Code not amended by this Ordinance shall remain in full force and effect. The specific speeds zones for the parks listed in BMC Sec. 36.07.070.A.1 –12 are repealed from the code, but remain in full force and effect.

Section 4

Severability.

That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof, other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Bozeman Municipal Code as a whole.

Section 5

Codification.

This Ordinance shall be codified as indicated in Section 1.

Section 6

Effective Date.

Ordinance No. 2162, Revising Speed Limits

This ordinance shall be in full force and effect thirty (30) days after final adoption.

PROVISIONALLY ADOPTED by the City Commission of the City of Bozeman, Montana, on first reading at a regular session held on the 10th day of September 2024.

DocuSigned by:

Terry Cunningham

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TERENCE CUNNINGHAM

Mayor

ATTEST:

DocuSigned by:

Mike Maas

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MIKE MAAS

City Clerk

Signed by:



FINALLY PASSED, ADOPTED AND APPROVED by the City Commission of the City of Bozeman, Montana on second reading at a regular session thereof held on the 24th of September, 2024. The effective date of this ordinance is October 24th, 2024.

DocuSigned by:

Terry Cunningham

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TERENCE CUNNINGHAM

Mayor

ATTEST:

DocuSigned by:

Mike Maas

F41F922095AB475...

MIKE MAAS

City Clerk

Signed by:



APPROVED AS TO FORM:

Signed by:

Greg Sullivan

876992AC9ACA44B...

GREG SULLIVAN

City Attorney