

**ORDINANCE NO. 375**

**AN ORDINANCE OF THE CITY OF HAMILTON REPEALING THOSE SECTIONS OF TITLE 17 OF THE HAMILTON MUNICIPAL CODE PERTAINING TO CLEAR SIGHT TRIANGLES AND CREATING CHAPTER 12.14 OF THE HAMILTON MUNICIPAL CODE TO ESTABLISH CRITERIA FOR CLEAR SIGHT TRIANGLES**

**WHEREAS**, Title 17 of the City of Hamilton Municipal Code contains the Zoning Provisions of the Code; and

**WHEREAS**, Title 17 contains provisions for establishing clear sight (view) areas at street intersections which should properly be located in Title 12 of the Municipal Code dealing with Streets, Sidewalks and Public Places; and

**WHEREAS**, the City Council has determined that it is necessary to revise the requirements for clear sight provisions at street intersections in order to improve public safety.

**NOW THEREFORE BE IT ORDAINED** by the City Council of the City of Hamilton that Section 17.16.010 (D) as well as the definitions of "clear view area" and "Clear view area at First Street intersections" found in Title 17 and Chapter 17.140 of the Hamilton Municipal Code be repealed.

**BE IT FURTHER ORDAINED** by the City Council of the City of Hamilton that Section 17.16.010 (E) be revised as written in Attachment "B" to this Ordinance and that Chapter 12.14 be adopted as written in Attachment "A" to this Ordinance.

**BE IT FURTHER ORDAINED** by the City Council of the City of Hamilton that this Ordinance is passed, approved and adopted effective thirty (30) days following the second reading thereof on February 18, 2013.

Attest: \_\_\_\_\_  
Rose M. Allen, City Clerk

By: \_\_\_\_\_  
Jerry E. Steele, Mayor

Chapter 12.14

Clear Sight Triangle

Sections:

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12.14.010 Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning:

**AASHTO** is an acronym for the American Association of State Highway and Transportation Officials

**Clear sight triangle** shall mean a generally triangular area that defines a zone necessary for the clear view by the driver of a motor vehicle or a bicyclist of oncoming cross-street motor vehicle, bicycle or pedestrian traffic or of a traffic control device, and includes street intersection sight triangles, alley intersection sight triangles and traffic control device sight triangles.

**Clear view triangle** is another term used to designate a clear sight triangle (see above)

**Controlled intersections** shall mean an intersection of two (2) or more streets at which there is an official traffic control device(s) designating approaching traffic to stop or yield.

**Parkway area** shall mean that area, exclusive of an intersection sight triangle, which is between the curb line or edge of pavement and the abutting property line.

**Public Works Director** shall mean the Public Works Director of the City of Hamilton.

**Street intersection sight distance** shall mean the sight distance as shown in Figure 1.

**Traffic control signs** are signs placed by the City for the regulation, warning and guiding of traffic traveling on the street.

**Uncontrolled intersection** shall mean an intersection of two (2) or more streets at which there are no official traffic control devices designating traffic to stop or yield.

**View obstruction** shall mean hedges, trees, shrubs or bushes, plants, foliage, sign, pole, soil, fence, screen, billboard, structure, walls or other improvement either man - made or natural item which has a height greater than two and one-half feet (2.5') as measured from the top of the curb or the edge of the street or sidewalk if no curb is present and which obstructs the visibility of pedestrian, bicycle or motor vehicle traffic approaching an intersection, or official traffic control signs at an intersection or along a street. View obstruction shall also mean vehicles, including motorized and non-motorized vehicles, parked within off-street parking facilities that encroach into a street intersection sight triangle and that have a height greater than two and one-half feet (2.5) as measured from the top of the curb or the edge of the street or sidewalk if no curb is present at the intersection and which obstruct the visibility of pedestrian, bicycle or motor vehicle traffic approaching an intersection. Chapter 12.16 of the *Hamilton Municipal Code* further defines the required clearance below trees.

#### **12.14.020 Designation of Clear Sight Triangles for Controlled Intersections**

A Clear Sight Triangles shall apply to intersections of two (2) or more streets at controlled intersections. The public Works Director will determine the center and edge of the traveled way of a traffic lane for purposes of measuring the Clear Sight Triangle. The following subsections define the method of establishing the Clear Sight Triangle for controlled intersections.

A. The Clear Sight Triangle for intersecting streets at a controlled intersection other than intersections with First Street (U.S. Highway 93) is a triangle the first corner of which is a point located at the intersection of the centers of the travel lanes of the through travel lane and the controlled travel lane as depicted in Figure 1. The second corner is a point located from the center of the travel lane(s) approaching the controlled intersection (the first corner) fifteen (15) feet beyond the edge of the travel lane nearest to the cross (controlled) street as depicted in Figure 1. The third corner of the Clear Sight Triangle is located the distance from the intersection of the centers of the two intersecting travel lanes (the first corner) a distance prescribed in the table in §12.14.020(B) as depicted in Figure 1 (dimension ISD).

B. Minimum sight distance for through traffic at a controlled intersection except for intersections with First Street (U.S. Highway 93)

#### **Minimum Sight Distance For Through Traffic Approaching a Controlled Intersection Measured From the Intersection of the Two Lanes as Depicted in Figure 1 (Dimension ISD)**

Design Speed (mph)	Minimum Sight Distance (feet) (ISD)
15	65
20	95
25	125
30	165
35	205
40	250
45	300

*Source: AASHTO Guidelines for Very Low Volume Roads*

C. The Clear Sight Triangle for intersecting streets at a controlled intersection with First Street (U.S. Highway 93) is the Clear Sight Triangle based on AASHTO standards as adopted by the Montana Department of Transportation.

#### **12.14.030 Designation of Clear Sight Triangle for Uncontrolled Intersections**

The Clear Sight Triangle for uncontrolled intersections is the triangle formed by the property corner (at any quadrant of the intersection) and two (2) points located twenty (20) feet from the property corner as measured along the right-of-way (property line adjacent to the street) of both streets (typically at approximately a right angle to the street right-of-way).

#### **12.14.040 Designation of Clear Sight Triangle for Alleys Intersecting Streets and Sidewalks**

A Clear Sight Triangle shall apply to intersections of alleys with both streets and sidewalks. The public Works Director will determine the edge of the traveled way of a traffic lane for purposes of measuring the Clear Sight Triangle. The following subsections define the method of establishing the Clear Sight Triangle for intersections of alleys and streets and alleys and sidewalks.

A. Clear Sight Triangle for the Intersection of an Alley and a Street. The Clear Sight Triangle for an alley intersecting a street shall be established as the area within a triangle measured from the point of intersection of the alley easement or right-of-way projected to the edge of the traveled lane of the street.

From that point, of intersection, one side of the triangle shall be fifteen (15) feet in length measured along the edge of the travel lane of the street; a second side of the triangle shall be fifteen (15) feet in length measured along the projected alley easement or right-of-way. The third side of the triangle shall be the line connecting the two (2) points located fifteen (15) feet from the point of intersection of the projected alley easement or right-of-way and the edge of the travel lane of the street.

B. Clear Sight Triangle for the Intersection of an Alley and a Sidewalk. The Clear Sight Triangle for an alley intersecting a sidewalk shall be established as the area within a triangle measured from the point of intersection of the alley easement or right-of-way projected to the edge of the sidewalk. From that point of intersection, one side of the triangle shall be eight (8) feet in length measured along the edge of the sidewalk; a second side of the triangle shall be eight (8) feet in length measured along the projected alley easement or right-of-way. The third side of the triangle shall be the line connecting the two (2) points located eight (8) feet from the point of intersection of the projected alley easement or right-of-way and the edge of the sidewalk.

#### **12.14.050 Other Intersections**

The Clear Sight Triangle for intersections of traveled ways for vehicles, bicycles or pedestrians not described in this Chapter shall be determined by the Public Works Director utilizing appropriate AASHTO guidelines or standards adopted by the Montana Department of Transportation.

#### **12.14.060 View Obstructions Prohibited Within Clear Sight Triangle**

A. It is unlawful to place or maintain a View Obstruction within a street intersection Clear Sight Triangle.

B. A property owner shall be deemed to be maintaining a view obstruction within a Clear Sight Triangle if the view obstruction is in an alley intersection or street intersection Clear Sight Triangle abutting his property and/or passing through his property.

C. Off-street parking shall not be allowed to encroach into a Clear Sight Triangle.

#### **12.14.070 View Obstructions Prohibited Within Parkway Areas**

A. It is unlawful to place or maintain or cause or permit to be placed or maintained a view obstruction within a parkway area.

B. A property owner shall be deemed to be maintaining a view obstruction in a parkway area if the view obstruction is in a parkway area abutting his property.

#### **12.14.080 Exceptions**

The provisions of this Chapter shall not apply to the following:

A. Permanent buildings lawfully located when constructed.

B. Properly approved and permitted residential privacy fences.

C. Traffic control regulatory, warning, temporary traffic control or guide sign, traffic control signal, traffic signal control cabinet, traffic signal control hardware and equipment, street name sign, street light, retaining wall, screening wall, sound attenuation wall, bridge structure, fire hydrant or utility pole or any other utility-related equipment properly approved and permitted which was placed by authority granted by the City Council.

12.14.090

Figure 1

Figure 1

## INTERSECTIONS AT-GRADE

### Clear Sight Triangle (Stop-Controlled Intersections)

