



Town of Ennis

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TOWN OF ENNIS ENCROACHMENT APPLICATION

Ennis Town Code Title 8 Chapter 1

Date of Application: _____

Applicant Name: _____

Applicant Business Name (if applicable) _____

Applicant Address: _____

Applicant Phone Number: _____

Nature of Permit Application: Provide specific details for time frame and location:

Attach rough sketch of location and plans to this document. Any work permitted by this permit on public right of ways or public property shall be repaired once the work is completed in the same or better condition prior to the work being completed as determined by the Public Works Director.

Reviewed by:

Ennis Public Works _____ Date: _____

Ennis Police Department: _____ Date: _____

Zoning Administrator (if required): _____ Date: _____

Additional Comments/Requirements: _____

Approved: _____ Mayor Town of Ennis Date: _____

Denied: _____ Mayor Town of Ennis Date: _____

Title 8 Chapter 1
PUBLIC RIGHTS OF WAY

This chapter shall be known as the ENNIS UNIFORM RIGHT OF WAY ENCROACHMENT CODE. (Prior Code § 14.02.010)

8-1-2: SCOPE:

The purpose of this chapter is to provide standards for the regulation and control of encroachment and private use of public rights of way within the incorporated limits of the town. This chapter will ensure full compliance by this incorporated municipality with all applicable federal, state and local laws, in the interest of public safety and the free and safe flow of traffic. (Prior Code § 14.02.020)

8-1-3: ENCROACHMENTS AND CURB LINE

A. Encroachments: Encroachments shall include all private devices placed upon the public right of way including devices which overhang or underlie the right of way.

B. Curb Line: The curb line shall be the line at the face of the curb nearest to the street or roadway. In the absence of a curb, the curb shall be estimated by the town officials. (Prior Code § 14.02.030)

8-1-4: USE OF PUBLIC RIGHT OF WAY; PERMIT REQUIRED

No private signs, eaves, marquees or similar devices will be allowed to encroach on the public rights of way of the town within the incorporated limits, except as provided herein and then only by permit issued by the proper authorities and revocable on ten (10) days' written notice to the permittee. No gainful private or commercial use of the public right of way will be allowed, e.g., nonemergency servicing of vehicles, parking or placing of portable advertising devices on the public right of way. (Prior Code § 14.02.040)

8-1-5: PROJECTION AND CLEARANCE

The outermost portion of an overhanging device should be at least five feet (5') behind the face of the curb; or where there is no curb, from the shoulder of the roadway; and the lowest portion of an overhanging device should be at least ten feet (10') above the top of the curb, sidewalk or roadway shoulder elevation. (Prior Code § 14.02.050)

8-1-6: EXCEPTION

Section 8-1-5 of this chapter shall be prospective in operation and shall not be construed to affect or concern existing construction; provided however, that this chapter shall apply to structures of any sort presently over and trespassing upon the traveled portion of the roadway within the curb lines or lines of shoulder of any street or highway within the town. (Prior Code § 14.02.060)

8-1-7: SIGNS, MINIMUM STANDARDS

It is the purpose and intent of this chapter to provide minimum standards to safeguard life, health, property and public welfare by regulating and controlling the placement of all signs and sign structures within the incorporated limits so as to prevent the obstruction of view of any official traffic sign, signal or device. (Prior Code § 14.02.070)

8-1-8: PENALTY

Any person violating the provisions of this chapter shall be, in addition to the penalties provided by state law, punished by a fine as provided in section 1-4-1 of this code. Prosecution under this section shall not limit the right of the town to seek relief by way of injunction for a nuisance. (Prior Code § 14.02.080)