

Handicapped Parking Spaces and Signs

ORDINANCE 2006-25

(AS AMENDED BY ORDINANCE 2007-14) An Ordinance Regulating the Issuance of Handicapped Parking Spaces and Signs, Providing for Application Review and Procedures for Issuance of Handicapped Parking Spaces and Signs, and Renewal of Handicapped Parking Spaces and Signs in the City of Hazleton

BE IT ORDAINED AND ENACTED by the Council of the City of Hazleton, as follows:

Section A. Definitions

As used in this Ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

Handicapped Person: An individual possessing a handicapped or severely disabled veteran registration plate or placard.

Handicapped Parking Sign: A sign issued by the City of Hazleton reserving parking for one (1) vehicle space and erected at a designated and agreed upon area for access for a handicapped person.

Issuing Authority: Hazleton Code Enforcement Office.

Owner: Actual owner, agent or custodian of the property wherein a sign will be erected.

In this Ordinance, the singular shall include the plural; the plural shall include the singular; and the masculine shall include the feminine and neuter.

Section B. Application Procedure

1. Any resident of the City of Hazleton may make application to the City of Hazleton for a handicapped parking space only after acquiring a handicapped license plate or placard or a disabled veteran license plate.

2. Applications are to be completed in their entirety. An incomplete application form will be denied by the City of Hazleton.

3. All applications shall be delivered to City of Hazleton, City Hall, 40 North Church Street, Hazleton, Pennsylvania, 18201.

4. New applications shall be reviewed and approved by the Hazleton Code Enforcement Office, who will make the final determination regarding the granting of a handicapped parking space.

5. Renewal applications shall be reviewed and approved by the Hazleton Code Enforcement Office, who will make the final determination regarding renewal of existing spaces.

6. Each applicant, whether for a new permit or a renewal, shall complete an application and provide the City of Hazleton with all the information requested.

7. Temporary applications shall be reviewed and approved by the Hazleton Code Enforcement Office, who will make the final decision in granting this temporary handicapped space for a period not to exceed three (3) months in length. If the space is needed for a longer period of time, a renewal application must be filled out and returned to the City of Hazleton no later than two (2) weeks before the expiration date of the handicapped space or it will be denied. Renewal applications for temporary handicapped parking spaces shall be reviewed and approved by the Hazleton Code Enforcement Office, who will make the final determination regarding the renewal of existing spaces.

8. The City of Hazleton will promulgate and have available said applications for handicapped parking signs.

9. Upon approval of a new or temporary application, the applicant shall pay a fee of Forty (\$40.00) Dollars to the City of Hazleton.

10. All approved applications shall be subject to annual review.

11. Each applicant shall submit with the completed application a written statement from his or her treating physician describing disability at the time of application, including, but not limited to the anticipated duration of disability.

12. Approval or denial of applications will be made within thirty (30) days by the Hazleton Code Enforcement Office.

Section C. Application Renewal

1. Each permit for a handicapped parking space shall be renewed on an annual basis, except for temporary handicapped spaces, as in 7, above.
2. Applications for renewal, except for temporary space renewal, shall be submitted to the City of Hazleton, City Hall, 40 North Church Street, Hazleton, Pennsylvania, 18201, between January 1st and January 31st of each calendar year, with the renewal fee of five (\$5.00) dollars.
3. In making the final determination regarding the renewal of a previously permitted handicapped space, the City of Hazleton shall apply the criteria contained in this Ordinance.
4. Once a permit is not renewed for any reason, any application by the same applicant shall be considered a new application and shall be governed by the provisions of this Ordinance.

Section D. Fees

1. The initial application fee for permanent and temporary handicapped parking spaces is forty (\$40.00) dollars. This fee also applies to any person permitted a handicapped parking space who fails to file a renewal application within the time frame allowed by this Ordinance.
2. The application fee for renewal applications for handicapped parking spaces is five (\$5.00) dollars.
3. All fees for permanent and temporary handicapped parking spaces and renewal of permanent and temporary handicapped parking spaces are non-refundable.

Section E. Location of Handicapped Parking Spaces

1. No more than two (2) handicapped parking spaces shall be located on any block where parking is permitted on both sides of the street.
2. No more than one (1) handicapped parking space shall be located on any block where parking is permitted on only one (1) side of the street.
3. All handicapped parking spaces permitted prior to the effective date of this Ordinance shall be allowed to remain as located but must be renewed annually between January 1st and January 31st of each calendar year thereafter.
4. In the event that previously permitted spaces exceed the maximum allowed per block, the City of Hazleton shall refrain from granting any additional spaces in that block until the number of handicapped spaces falls below the maximum allowed.

Section F. Issuing Authority

The Hazleton Code Enforcement Office shall maintain a log of all existing handicapped parking spaces at the time of the effective date hereof. Further, the Hazleton Code Enforcement Office will maintain a log of all applications for handicapped parking spaces for a maximum of thirty (30) days.

Section G. Standards

1. No permit shall be granted where adequate handicapped-accessible, off-street parking is available.
2. The owner of the vehicle used for the applicant must reside at the same address as the applicant. A copy of the vehicle registration must accompany the application as proof of residence.
3. Any change in address or change in health status must be reported to the City of Hazleton in writing within thirty (30) days of change.
4. All applicants shall meet at least one (1) of the following requirements:
 - (a) The applicant is wheelchair confined.
 - (b) The person requesting the permit is caring for a person who has a severe physical or mental disability.
 - (c) The applicant is unable to walk a distance of two hundred (200) feet without stopping to rest. Applicant may be asked

to perform this and/or produce documentation verifying this condition.

(d) The applicant has severe cardiopulmonary insufficiency requiring the use of ambulatory oxygen.

(e) The applicant requires the use of prosthetic devices that restrict normal ambulation.

(f) The applicant has other physical or mental limitations that the City of Hazleton believes are severe enough to warrant a handicapped parking space.

Section H. Revocation of Permit and Removal of Sign

The City of Hazleton reserves the right to revoke any permit or remove any sign for a handicapped parking space at any time for any reason.

Section I. Penalties

1. A person owning a vehicle parked in a handicapped parking designated area without a handicapped plate or placard properly displayed and qualifying under this Ordinance will be subject to citation.

2. It shall be unlawful for any person or owner of realty to erect a handicapped parking sign upon the streets of the City of Hazleton without first making application for a handicapped parking sign through the City of Hazleton. Any violations hereunder will constitute a summary criminal offense under the laws of the Commonwealth of Pennsylvania, and each day of violation hereunder will be considered a separate offense.

3. The fine and penalty for a violation of the regulations here and before designated shall be Twenty-Five (\$25.00) Dollars, if paid to the City of Hazleton within five (5) days of the time of said violation; and, if paid after the lapse of five (5) days after the time of such violation, then the fine shall be Fifty (\$50.00) Dollars until citation is issued.

Section J. Exemptions

Disabled veterans of any branch of the armed forces are exempt from paying any and all application fees, renewal fees or penalties as set forth in this Ordinance, upon showing proof of same.

Section K. General Provisions

1. Any stipulations made at the time of application regarding the eligibility of an applicant may be updated periodically at the request of the issuing authority.

2. Handicapped parking spaces shall not supersede existing parking regulations, including, but not limited to street sweeping, snow ban or snow removal regulations.

3. Handicapped parking signs will remain the property of the City of Hazleton.

4. The issuing authority will police and control areas governed by a handicapped parking sign.

5. The issuing authority will take the following factors into consideration in the issuance of handicapped parking signs:

(a) Overall availability of parking in the area wherein a sign is requested.

(b) The living arrangements of an individual applicant herein; for example, a disabled person living alone and responsible for his or her own transportation.

(c) Existing parking problems in the area wherein a sign is requested.

6. The granting of a handicapped parking space permit does not entitle the applicant to the exclusive use of this space. This space can be used by other handicapped persons and disabled veterans.

Any ordinance or part of an ordinance conflicting with the provisions of this Ordinance shall be and the same is hereby repealed to the extent of such conflict.

This Ordinance shall be effective immediately upon passage and approved in the manner prescribed by law.

ORDAINED AND ENACTED by Council this 22nd day of November, 2006.