

ORDINANCE # 101

Handicapped Parking

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 Borough of Warrior Run.

BE IT ORDANIED AND ENACTED by the Council of Warrior Run Borough, as follows:

Section A: Definitions

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

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

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

Issuing Authority: Warrior Run Borough Council.

Enforcing Authority: The current Police Department that is contracted to enforce the ordinance of Warrior Run Borough.

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 Warrior Run Borough may make application to the Warrior Run Borough 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 Warrior Run Borough.
3. All applications shall be delivered to the Warrior Run Borough at 496 Front Street Warrior Run, Pa 18706
4. New applications shall be reviewed and approved by Warrior Run Borough Council, who will make the final determination regarding granting of a handicapped parking place.
5. Renewal applications shall be reviewed and approved by the Warrior Run Borough Council, 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 Warrior Run Borough Council with all information requested.
7. Temporary applications shall be reviewed and approved by the Warrior Run Borough Council, who will make the final decision in granting this temporary handicapped space for a person not to exceed (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 Warrior Run Borough 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 Warrior Run Borough Council, who will make the final determination regarding the renewal of existing spaces.

8. The Warrior Run Borough will promulgate and have available said applications for handicapped signs.
9. Upon approval of a new application, the applicant shall pay a fee of one hundred dollars (\$100.00) to the Warrior Run Borough.
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 Warrior Run Borough Council.
13. Each application must be notarized by a notary.

Section C Application Renewal

1. Each permit for a handicapped parking space shall be renewed on an annual basis.
2. Applications for renewal shall be submitted to the Warrior Run Borough at 496 Front Street Warrior Run, Pa 18706 between June 1, and June 30 of each calendar year. There is no renewal fee.
3. In making the final determination regarding renewal of a previously permitted handicapped space, the Warrior Run Borough Council shall apply the criteria contained in the 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 and installation fee for handicapped parking spaces is one hundred dollars (\$100.00). 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. If a person requests a personal ID numbered sign, which would be the same as their placard number, their handicapped license plate number or disabled veteran plate number, this fee will be twenty-two dollars (\$22.00). This would designate the handicapped parking space to the particular applicant requesting the personal ID numbered sign. Validity for the request for the personal ID numbered sign will be determined by the Warrior Run Borough.
3. All fees for handicapped parking spaces are non-refundable.

Section E Location of Handicapped Parking Spaces

1. 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 June 1, and June 30 of each calendar year.
2. In the event that previously permitted spaces start to exceed regular street parking, Warrior Run Borough shall refrain from granting any additional spaces in that block until the number of handicapped spaces is reduced.

Section F Issuing Authority

1. The Warrior Run Borough shall maintain a log of all existing handicapped parking spaces at the time of the effective date hereof. Further, Warrior Run Borough 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. This means if a resident has off-street parking and is unable to use it because of their handicap, a handicapped space may be provided.
2. Any change in address or change in health status must be reported to the Warrior Run Borough in writing within thirty (30) days of change.
3. All applications 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 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 application has other physical or mental conditions that the Warrior Run Borough believes are severe enough to warrant a handicapped parking space.

Section H Revocation of Permit and Removal of Sign

The Warrior Run Borough 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 or realty to erect a handicapped parking sign upon the streets of the Warrior Run Borough without first making application for a handicapped parking sign through the Warrior Run Borough. 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 Warrior Run Borough within five (5) days of the time of said violation; and if paid after the lapse of the five (5) days after the time of such violation, then the fine shall be fifty (\$50.00) dollars until citation is issued.

Section J Exemption

Disabled veterans of any branch of the armed forces are exempt from paying any and all application and installation fees.

Section K General Provisions

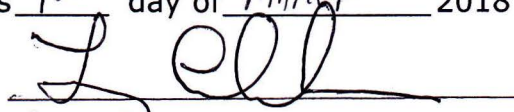
1. Any stipulations made at this time of application regarding the eligibility of an applicant may be updated periodically at the request of the issuing authority.
2. Handicapped parking spaces shall not supersede existing parking regulations, including, but not limited to street sweeping snow ban or snow removal regulations.

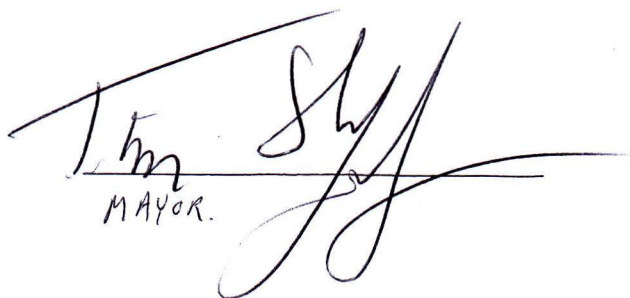
3. Handicapped parking signs will remain the property of the Warrior Run Borough.
4. The issuing authority will police and control areas governed by a handicapped parking sign.
5. The issuing authority will take the following factors into consideration in the issuance of a handicapped parking sign.
 - 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 and/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 unless the sign indicates and correlates to a specific placard number, handicapped license plate number or a disabled veteran license plate number.


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 and shall ratify all past actions of Warrior Run Borough with regard to handicapped parking.

ORDAINED AND ENACTED by Council this 12 day of MARCH 2018


COUNCIL


MAYOR


SECRETARY