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ORDINANCE NUMBER 70643

BOARD BILL NO. 137AA INTRODUCED BY ALDERWOMAN MEGAN ELLYIA GREEN

An ordinance to revise Section 17.76.020 of the Revised Code of the City of St. Louis, Ordinance 67757 Section One approved November 5, 2007, pertaining to Residential Disabled Parking, to allow an eligible person whose vehicle is owned by another to apply for a residential disabled parking space permit.

WHEREAS, pursuant to Board Rule 54, the proposed revisions to Ordinance 67757, Section One are set forth herein with additions marked in **boldface** and deletions marked with [**brackets and boldface strikethrough**].

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE: Section 17.76.020, Ordinance 67757, Section One approved November 5, 2007, pertaining to Residential Disabled Parking is hereby revised to read as follows:

- 17.76.020 Residential disabled parking space permit - Application
 - A. Any individual, parent of a child with an eligible disability, or a family member residing full time with an eligible person, owning a vehicle registered to the address **or any eligible person whose vehicle is owned by another and such eligible person resides at the address** at which the permit sign is to be erected

1 and possessing a current permanent state disabled placard, disabled license plate
2 or disabled veterans license plate, as described in Section 17.76.010, may apply
3 for a residential disabled parking space permit. A residential disabled parking
4 space permit may only be granted for use by a vehicle, registered in the City of St.
5 Louis, **unless the vehicle is owned by another person but driven by an eligible**
6 **person applying for a residential disabled parking space permit at least fifty-**
7 **percent of the time and such vehicle possesses a current permanent state**
8 **disabled placard, disabled license plate or disabled veterans license plate, as**
9 **described in Section 17.76.010**, and which shall be regularly parked at said
10 disabled parking space. Application for a residential disabled parking space
11 permit shall be made to the Office on the Disabled. Said office shall approve a
12 permit if the application is for the benefit of an individual with at least one of the
13 following disabilities:

- 14 a. Wheelchair;
- 15 b. Leg Braces;
- 16 c. Crutches;
- 17 d. Canes;
- 18 e. Walker;
- 19 f. Cerebral Palsey;
- 20 g. Multiple sclerosis;
- 21 h. Muscular dystrophy;
- 22 i. Spina bifida;
- 23 j. Severe rheumatoid arthritis;
- 24 k. Degenerative arthritis;

- 1 l. Amputation of legs;
- 2 m. Pulmonary Class Three or greater;
- 3 n. Cardiac;
- 4 o. Cardiovascular Impairments Class Three or greater;
- 5 p. Therapeutic Class CDE;
- 6 q. Alzheimer's disease;
- 7 r. Stroke;
- 8 s. Osteoarthritis;
- 9 t. Amyotrophic Lateral Sclerosis (ALS)
- 10 u. Blindness;
- 11 v. Physical disability recognized by the Americans with Disabilities Act as
- 12 a qualified disability. This would be determined by the Commissioner of
- 13 Disabilities.
- 14 B. If the Office on the Disabled approves an application for a residential
- 15 disabled parking space permit, a numbered permit shall be issued to the applicant
- 16 and shall be posted on the windshield of said vehicle. The permit must be used at
- 17 all times with the permit holder's permanent disabled placard or license plate. The
- 18 Commissioner of Traffic or his/her designee, with the consent of the property
- 19 owner, shall install signs indicating such restricted parking space on any public
- 20 right-of-way for a period of time not to exceed two (2) year subject to bi-annual
- 21 renewal. Said signs shall be numbered the same as the permit issued to the
- 22 applicant and shall indicate that the disabled parking space is reserved at all times
- 23 for permit parking only. The Commissioner of Traffic or his/he designee upon
- 24 recommendation of the Office on the Disabled may, where special conditions exit,

1 install signs indicating a residential disabled parking space notwithstanding the
2 availability of driveway or off-street parking. Permit holders full-time members of
3 the household with two (2) or more vehicles and with access to off-street parking,
4 may use that off-street parking for any vehicle the permit holder's vehicle. An
5 individual applying for a residential disabled parking space at their personal
6 residence shall not be charged for installation or maintenance of said signs. A list
7 of all approved residential disabled parking space permits shall be kept in the
8 Office of the Register and the Office on the Disabled.

9 C. A decision denying an application for a residential disable parking space
10 permit may be appealed in writing to the Office on the Disabled. The Office on
11 the Disabled shall forward all appeals to a special panel of the Advisory Council
12 on the Disabled created by Ordinance Number 57432 within ten days of the
13 receipt of said appeal. If this panel of the Special Council on the Disabled grants
14 the appeal, the Commissioner of Traffic or his/her designee is instructed to erect a
15 designated residential disabled parking space immediately. If the Special Council
16 of Disabled denies the appeal, a residential disable parking space will not be
17 granted. (Ord 66591 § 1, 2004: prior Ord. 65142 § 1, 2001: Ord. 64296 § 2, 1998:
18 Ord. 63590 § 2 (part), 1995: Ord. 62049 § 2, 1990: Ord. 61550 § 2 (part), 1990:
19 Ord. 60124 § 1 (part), 1986: Ord 59069 §1, 1984: Ord 58881 § 1, 1983: Ord 5850
20 § 2, 1982.)

21 D. No applicant with off-street parking shall be approved for a residential
22 disable parking permit/space unless he/she presents to the Office on the Disabled
23 a statement from his/her primary physician that, because of the applicant's

1 disability, the applicant cannot use his/her off-street parking. This statement in
2 conjunction with all other requirements contained in this ordinance will be used to
3 consider approval. A garage as part of a residence with dimensions of less than a
4 total length of fifteen feet and a garage door opening width of less than 9 feet is
5 not considered off-street parking for the purposes of this ordinance.

6 **SECTION TWO. EMERGENCY CLAUSE.** This being an Ordinance for the
7 preservation of public peace, health and safety, it is hereby declared to be an immediate
8 measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City
9 of St. Louis and therefore this Ordinance shall become effective immediately upon its
10 passage and approval by the Mayor.

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