

## *St. Louis City Ordinance 63590*

FLOOR SUBSTITUTE

BOARD BILL NO. [95] 191

INTRODUCED BY ALDERMAN MARTIE J. ABOUSSIE

An ordinance repealing Section Two and Three of Ordinance Number 61550, and Section Two and Three of Ordinance Number 62049, which are codified in Section 17.76.010 through 17.76.040 and Chapter 17.77 of the Revised Code of the City of St. Louis; relating to handicapped parking; and enacting in lieu thereof new regulations regarding Parking for Persons with Disabilities.

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

SECTION ONE. Section Two and Three of Ordinance Number 61550, and Section Two and Three of Ordinance Number 62049, which are codified in Section 17.76.010 through 17.76.040 and Chapter 17.77 of the Revised Code of the City of St. Louis are hereby repealed and the following is substituted in lieu thereof.

SECTION TWO. There are hereby enacted new regulations relating to Parking for Persons with Disabilities which are codified in the Revised Code and shall read in words and figures as follows:

Section 17.76.010 Use of Parking Spaces for the Disabled.

No person shall park a vehicle in a residential disabled parking space unless the vehicle displays either a permanent disabled placard, disabled license plate, or disabled veterans license plate issued by the state of Missouri pursuant to provisions stated in Section 301.071 or 301.142 of the Revised Statutes of Missouri and a numbered permit issued pursuant to Section 17.76.020 which corresponds to the permit number indicated on the disabled parking space signs erected at that space.

No person shall park in a non-residential disabled parking space unless said vehicle displays either a disabled placard, disabled license plate, or disabled veterans license plate issued by the state of Missouri pursuant to provisions stated in Section 301.071 or 301.142 of the Revised Statutes of Missouri or a disabled placard, license plate or disabled veterans license plate, clearly displaying the international symbol of access issued by another State.

## Section 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 and possessing a current permanent state disabled placard, disabled license plate or disabled veterans license plate, as described in Section 17.76.010, may apply for a residential disabled parking space permit. A residential disabled parking space permit, may only be granted for use by a vehicle which shall be parked at said disabled parking space at least five (5) days or nights of the week.

Application for a residential disabled parking space permit shall be made to the Office on the Disabled. Said office shall approve a permit if the application is for the benefit of an individual with at least one of the following disabilities:

1) Non-Ambulatory Disabilities requiring the use of one or more of the following adaptive devices:

- a) Wheelchair
- b) Leg Braces
- c) Crutches
- d) Canes
- e) Walker
- 2) Cerebral Palsy
- 3) Multiple Sclerosis
- 4) Muscular Dystrophy
- 5) Spinal Bifida
- 6) Severe Rheumatoid Arthritis
- 7) Degenerative Arthritis
- 8) Amputation of Legs
- 9) Pulmonary Class Three or Greater
- 10) Cardiac
- 11) Cardiovascular Impairments of Class Three or Greater
- 12) Therapeutic Class CDE
- 13) Alzheimer's Disease
- 14) Osteoarthritis

B) If the Office on the Disabled approves an application for a residential disabled parking space permit, a numbered permit shall be issued to the applicant and shall be posted on the windshield of said vehicle. The permit must be used at all times with the permit holder's permanent disabled placard or license plate. The Traffic and Transportation Administrator, with the consent of the property owner, shall establish signs indicating such restricted parking space on any public right of way for a period of time not to exceed one year

subject to annual renewal. Said signs shall be numbered the same as the permit issued to the applicant and shall indicate that the disabled parking space is reserved at all times for permit parking only. The Traffic and Transportation Administrator upon recommendation of the Office on the Disabled may, where special conditions exist, install signs indicating a residential disabled parking space notwithstanding the availability of driveway or off-street parking. An individual applying for a residential disabled parking space at their personal residence shall not be charged for installation or maintenance of said signs. A list of all approved residential disabled parking space permits shall be kept in the Office of the Register and the Office on the Disabled.

C) A decision denying an application for a residential disabled parking space permit may be appealed in writing to the Office on the Disabled. The Office on the Disabled shall forward all appeals to a special panel of the Advisory Council on the Disabled created by Ordinance Number 57432 within ten days of receipt of said appeal. If this panel of the Special Council on the Disabled grants the appeal, the Traffic and Transportation Administrator is instructed to erect a designated residential disabled parking space immediately. If the Special Council of Disabled denies the appeal, a residential disabled parking space will not be granted.

#### 17.76.025 Residential Disabled Parking Space Permit-Renewal and fee.

The residential disabled parking space permit must be renewed each year by completing an application for renewal before May 1st of each year.

#### 17.76.030 Non-Residential Disabled Parking Space Permit-Application.

A) The owner or manager of any public or private building providing less than Twenty-Five (25) parking spaces, may apply to the Office on the Disabled for an on street, non-residential disabled parking space permit. Upon approval of the application and payment of One Hundred dollars (\$100.00) to the Office on the Disabled to cover the costs of installation and maintenance of appropriate signs, a non-residential disabled parking space shall be established indicating such restricted parking. Non-residential disabled parking spaces shall be renewed annually as provided in Section 17.76.035.

B). The charge for the installation and maintenance of signs required in 17.76.030 subsection (A) shall not apply to not-for-profit organizations.

#### 17.76.035 Non-Residential Disabled Parking Space Permit-Renewal and Fee.

Any non-residential disabled parking space established under Section 17.76.030 shall be renewable by payment of a One Hundred Dollars (\$100.00) renewal fee to the Office on the Disabled. Said fee must be paid by January 31st, of each permit year.

17.76.040 Penalty for violation.

Any person found guilty of parking in violation of Section 17.76.010 shall be fined not less than fifty dollars(\$50.00) or more than two hundred dollars (\$200.00).

17.76.050 Parking Meter Exemption-Permit Issuance Standards.

The Commissioner on the Disabled is hereby authorized to set standards for the issuing of a permit to any person owning a motor vehicle and having a permanent disabled placard, disabled license plate or disabled veteran's license plate issued by the State of Missouri, and unable to activate a parking meter because of a physical disability.

17.76.060 Parking Meter Exemption-Disabled permit required.

Any driver of a motor vehicle who has received a permit under Section 17.76.050, and has it prominently displayed on the motor vehicle with their permanent disabled placard or disabled license plate or disabled veteran's license plate may park at a parking meter without activating the parking meter.

17.76.070 Parking Meter Exemption-Appeal of Permit Refusal

Any person who has been refused a Parking Meter Exemption Permit under Section 17.76.060 may appeal the decision of the Commissioner on the Disabled by sending a letter to the Parking Meter Commission stating the reasons why the decision is in error. The appeal must be mailed within ten (10) days of the date of the refusal notice. The Parking Meter Commission shall notify the appellant of the hearing date, which shall occur within two weeks of the date of the original appeal letter. The Parking Meter Commission shall render a decision within one week of the hearing.

**SECTION THREE.** There are hereby enacted new regulations relating to Space Requirements for Disabled Parking which are codified in the Revised Code and shall read in words and figures as follows:

17.77.0120 Parking spaces for Persons with Disabilities.

Any parking facility with fifty (50) or more spaces open to the public and used by the public shall provide a minimum of two percent (2%) of the total number of parking spaces for disabled parking. These spaces shall be eight (8) feet wide with a five (5) foot wide access aisle to allow sufficient room for persons with disabilities to enter or exist a vehicle. Van accessible spaces shall be eleven (11) feet wide with a five (5) foot wide access aisle. Van accessible spaces shall be provided one for every eight parking spaces. Disabled parking spaces shall be located closest to the accessible entrance to the building or building the parking facility serves. Consideration shall be given to the distribution of spaces in accordance with the frequency and persistency of parking needs of the parking facility. Where possible, disabled parking shall be located so that persons with disabilities are not compelled to wheel or walk behind parked vehicles. Each disabled parking space shall be identified by an aboveground sign, "Disabled Parking Only."

#### 17.77.020 Location and Marking.

On-street parking spaces reserved for persons with disabilities shall be provided and located nearest curb cuts or accessible entrances to buildings. Where meters are in force, each space shall be marked with a sign attached to the meter clearly identifying the space with the international symbol of access and the words "Disabled Parking."

#### 17.77.030 Improper use of spaces - Penalty.

Only vehicles displaying the Missouri Disabled license plate placard, Missouri Disabled Veterans license plate or other State disabled license plate or placard shall utilize these spaces for persons with disabilities. Any person found guilty of parking in violation of Section 17.76.010 shall be fined not less than Fifty Dollars (\$50.00) or more than Two Hundred (\$200.00) dollars.

**SECTION FOUR: EMERGENCY CLAUSE.** This being an ordinance for the preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore shall become effective immediately upon its passage and approval by the mayor.

<b>1ST READING</b>	<b>REF TO COMM</b>	<b>COMMITTEE</b>	<b>COMM SUB</b>	<b>COMM AMEND</b>
<b>09/22/95</b>	<b>09/22/95</b>	<b>STR</b>	<b>10/24/95</b>	
<b>2ND READING</b>	<b>FLOOR AMEND</b>	<b>FLOOR SUB</b>	<b>PERFECTN</b>	<b>PASSAGE</b>
<b>10/27/95</b>		<b>11/03/95</b>	<b>11/03/95</b>	<b>11/09/95</b>
<b>ORDINANCE</b>	<b>VETOED</b>		<b>VETO OVR</b>	
<b>63590</b>				