

Pg 71  
BK 12

WEST WYOMING ORDINANCE NUMBER 3 2002

HANDICAPPED PARKING

AN ORDINANCE OF THE BOROUGH OF WEST WYOMING DEFINING AND REGULATING THE APPLICATION AND USE OF HANDICAPPED RESTRICTED PARKING SIGNS FOR RESIDENTS OF THE BOROUGH

The West Wyoming Borough Council hereby ordains:

Section I: Purpose and Scope:

The West Wyoming Borough Council recognizing the needs of disabled persons in West Wyoming Borough hereby enacts the Handicapped Parking Ordinance which will facilitate access to and from the disabled person's place of residence.

This ordinance is enacted pursuant to Pennsylvania Motor Vehicle Code, 75 Pa. C.S.A. Section 3354(2) permits local authorities to erect on a street as close as possible to a place of residence a sign or signs indicating that a parking space is reserved for a vehicle bearing a "handicapped" parking license plate.

Section II: Restricted handicapped residential parking.

Any West Wyoming Borough resident who has been issued by the Commonwealth of Pennsylvania a handicapped license plate, or on whose behalf said license plate has been issued, pursuant to Section 1338 of the Motor Vehicle Code, shall be eligible for the installation, in front of said person's residence, or as close as possible, a sign indicating that parking in such space is restricted to those vehicles bearing handicapped license plates, which eligibility shall expire twelve months from the date such sign is installed. Application for such restricted parking sign shall be made to the Chief of the Bureau of Police.

Section III. Application procedure.

Application form and content.

Application for a restricted handicapped parking space shall be made on a form provided by the West Wyoming Police Department. The application must be accompanied by documentation evidencing issuance of a handicapped plate by the Commonwealth of Pennsylvania. Applications can be obtained at the Borough Building. Only a handicapped license plate will be considered valid; a handicapped placard is not acceptable for issuing handicapped parking spots.

Initial Application Fee. An initial application fee of fifty (50) dollars is required.

Annual renewal. All approved applicants shall be required to file a renewal application by February fifteenth of each succeeding year in which the reserved space is held. A renewal fee of ten dollars must accompany the application. Renewal application can be obtained at the Borough building.

Applications are to be completed in their entirety. Applications not completed in their entirety will not be considered. Failure to file a renewal application will result in the individual's right to a handicapped reserved parking sign. Said sign will be removed by the Department of Public Works upon authorization of the West Wyoming Chief of Police..

Approval or denial of an application will be made within sixty days by the West Wyoming Chief of Police.

#### Section IV: Installation of restricted handicapped parking sign.

If an application is approved by the West Wyoming Chief of Police, the Public Works department will be notified and installation of two reserved parking signs with the applicant's vehicle registration number will be completed. The signs remain property of the Borough of West Wyoming.

#### Section V: General Provisions

Unlawful signs. It shall be unlawful for any person or owner of realty to erect a reserved parking sign or handicapped parking sign upon the streets of West Wyoming without first making application to West Wyoming Borough Police Department. Any violation will be subject to the penalties set forth herein.

Reserved parking signs do not supersede existing parking regulations, including but not limited to street cleaning, snow ban or snow removal regulations.

The Chief of Police shall be notified immediately if an eligible person no longer qualifies for a sign under this article; for example, if an eligible person enjoys an improved health condition or moves from the premises wherein the sign is located. Failure to notify West Wyoming Police Department constitutes a violation of this ordinance.

The police department reserves the right to remove any handicapped parking signs for cause shown.

#### Section VI: Penalties

Any person who parks in a reserved parking space who is not authorized to do so shall be subject to immediate citation and the vehicle will be subject to immediate removal.

No person shall erect a handicapped parking sign upon the streets of West Wyoming Borough without proper application and approval cited in Section III.

Any person violating any of the provisions of this Ordinance shall, upon summary conviction thereof in a summary proceeding before a District Justice, be sentenced to pay a fine of not more than three hundred dollars and costs and /or to be imprisoned in the county jail for a period not to exceed ninety days. Each and every day upon which any person violates or continues to violate the provision of this Ordinance shall constitute a separate offense.

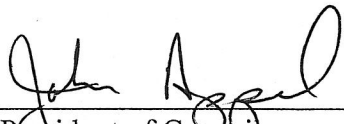
Section VII: Severability

The provision of this Ordinance are severable. If any part of this Ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby.

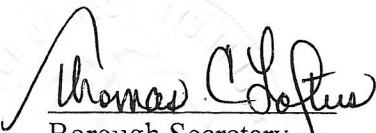
Section VIII: Repealer

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Passed by West Wyoming Borough Council on 8<sup>th</sup> day of July, 2002 and signed by the Mayor of the 8<sup>th</sup> day of July, 2002

  
\_\_\_\_\_  
President of Council

ATTEST:

  
\_\_\_\_\_  
Borough Secretary

  
\_\_\_\_\_  
Mayor