

**File of the
Council of the City of Easton, Pa.**

Ordinance No. 5865

SESSION 2024

Bill No. 15

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Introduced by: Crystal Rose
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Enacted by Council: June 12, 2024
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AN ORDINANCE: AMENDING THE HANDICAP PARKING PROGRAM

THE CITY OF EASTON HEREBY ORDAINS:


SECTION 1. Amending Sections in Chapter 560-51
See attached Exhibit "A"

SECTION 2. All Ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

SECTION 3. This ordinance shall take effect 30 days following adoption by Council.

Signed the 13th day of June, 2024

ATTEST:



City Clerk



Vice-Mayor

560-51 **Handicapped parking spaces.**

A. Any resident of the City, after acquiring a handicapped or disabled veteran's license plate or a handicapped parking placard from the commonwealth, may make application to the City for a handicapped parking space/permit.

B. Application for Handicapped Parking Space/Permit.

(1) Requests for the application shall be made through the Secretary of the Board of Health~~City Health Officer~~, and the completed application shall be returned to the Secretary~~City Health Officer~~, along with a check in the amount as specified in Chapter 285, Fees, made payable to the City. Such funds shall be used to cover the costs of processing each application along with the costs of materials and labor involved in the installation of any approved signs. Such application fee is nonrefundable. [Amended 2-11-2009 by Ord. No. 5190; 10-27-2021 by Ord. No. 5765]

(2)

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~~C.~~ The City Health Officer~~Secretary of the Board of Health~~ shall review the application for completeness and forward the application to the Police Department, which will inspect the area of the proposed handicapped parking space in order to determine what impact the placing of a sign would have on the flow of traffic or safety in the area and advise the City Health Officer.~~-~~

(3) The City Health Officer shall interview the applicant, review all supporting documentation provided by applicant, and may request additional information or documentation following the application review and interview process.

(4) Once a complete application is received, the City Health Officer shall have 30 days to either approve or submit the application to the Board of Health. In the event of a clear and obvious need for the accommodations contemplated by this ordinance, the City Health Officer is empowered to approve the request. At the next Board of Health meeting, the Health Officer shall inform the Board all applications approved since the last meeting, with a brief description of his reasoning for approval.

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~~C.D.~~ Hearings. In the event an application is not approved by the Health Officer the application will be submitted to the Board of Health.

(1) The presentation to the Board of Health shall include at a minimum the original application, a statement by medical professional as to the applicant's condition and limitations, and testimony from the applicant or their designated

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representative as to the impact of the condition upon the applicant and the need for the accommodation.

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(2) This review will be conducted at the next feasible meeting of the Board and scheduled by the City Health Officer.

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(1) Board of Health hearings shall not be of record, the proceedings are to be informal, and all decisions of the board are purely discretionary. The Board shall not issue written decisions. The Board is to balance the physical limitations of the applicant with the impact upon the neighborhood but may also consider any other lawful and relevant factor. In reaching its decision the Board may question the applicant, the City Health Officer, and any other official or individual it deems necessary. Such application, along with a report and recommendation as aforesaid by the Police Department, shall be forwarded to the Secretary of the Board of Health. [Amended 1-27-1999 by Ord. No. 3661]

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(3) The Board of Health may also require a review of any application approved by the Health Officer under 560-51B(4) following the procedures set forth in 560-51C and this review shall be de novo.

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E. The Board of Health shall review such application and determine whether or not an individual shall be granted a handicapped parking space. [Amended 12-14-1983 by Ord. No. 2733]

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DF. –No more than one application per household shall be accepted. No more than two handicapped signs shall be placed within one City block, unless upon approval by Council.

EG. Handicapped parking spaces reserved for a resident under this section shall be for the sole use of the resident whose application has been granted by the Board of Health. The City shall place a sign indicating that the space is reserved for the handicapped resident, that no parking by others is permitted in that space and that any unauthorized person parking in that space shall be subject to a fine. [Amended 10-25-1995 by Ord. No. 3395]

FH. The City Health Officer shall review the existing handicapped parking spaces on an annual basis to determine the continued need. If there is a determination that a space is no longer necessary, the City Health Officer shall serve notice of such upon the Board of Health along with the applicant, and the Board of Health shall make a final determination as to whether the existing permit for the handicapped parking space shall be removed. [Amended 12-14-1983 by Ord. No. 2733; 6-22-2011 by Ord. No. 5320]

GI. Except for persons parking vehicles lawfully bearing a handicapped or severely disabled veteran's registration plate or displaying a handicapped or severely disabled veteran's parking placard, when such vehicle is being operated by or for

the transportation of a handicapped person or severely disabled veteran, no person shall park a vehicle on public or private property reserved for a handicapped person or severely disabled veteran, which property shall be so posted in accordance with departmental regulations, which shall require a sign stating the penalty amount indicated in Subsection **HJ** hereof, a sign indicating that the vehicles in violation of the subsection may be towed and require that signs be replaced when they become either obsolete or missing, with all costs to replace the necessary signs to be borne by the persons responsible for signing the particular location. Any vehicle which is unlawfully parked in a designated handicapped parking area may be removed from that area by towing and may be reclaimed by the vehicle owner upon payment of the towing costs.

HJ. Penalty.

- (1) Any motor vehicle, as defined in the Pennsylvania Motor Vehicle Code, left parked or standing in violation of Subsection **EG** and/or Subsection **GI** hereof shall be towed at the owner's expense, without further notice. [Amended 6-28-1995 by Ord. No. 3373]
- (2) Any person who violates Subsection **EG** and/or Subsection **GI** shall be subject to pay a fine as specified in Chapter 285, Fees. [Amended 10-27-2004 by Ord. No. 4581; 2-11-2009 by Ord. No. 5190; 11-13-2013 by Ord. No. 5440; 3-11-2015 by Ord. No. 5486]

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I. Exemption. No handicap parking spaces covered by this Section shall be granted within the Downtown District or the Business and Entertainment District. Any previously issued handicap parking spaces within these Districts will remain valid as to the current holder only.