

An Ordinance regarding parking for handicapped individuals in the City of Hamilton, Alabama.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HAMILTON, ALABAMA, AS FOLLOWS:

- (a) Definition. For purposes of this section, the term "handicapped individual" means any person having a permanent mental or physical handicap which limits mobility to the extent that the individual would have difficulty safely walking alone a distance of fifty (50) feet or more.
- (b) Exclusive use of parking spaces authorized. The Chief of Police is hereby authorized and directed to set aside a reasonable number of parking spaces to be used exclusively for the parking of a motor vehicle of a handicapped individual and shall place signs in all such restricted places to designate them for handicapped parking only. The number and location of these places shall be at the discretion of the Chief.
- (c) Decals. The Chief of Police is hereby authorized and directed to issue to handicapped individuals a distinctive decal displaying the international symbol of access designating the driver or passenger of the vehicle as being a handicapped individual. The handicapped individual shall make written application for the decal. The Chief of Police may charge and collect a fee not exceeding ten dollars (\$10.00) for each decal issued; provided, however, the Mayor may waive collection of any fee.
- (d) Misrepresentation. Any person who is not a handicapped individual and who willfully and falsely represents himself or herself as a handicapped individual to obtain the distinctive decals referred to in this section, or who misuses or abuses the parking privilege protected by this section, or owns a vehicle bearing the distinctive decal but is not entitled to do so under the provisions of this section, shall be guilty of a misdemeanor and shall be punished as provided in paragraph (i) below.
- (e) Unlimited periods of parking allowed; compliance with other regulations. The handicapped individuals to whom the distinctive decals are issued shall be allowed to park for unlimited periods in parking spaces designated for handicapped individuals; provided, however, that such handicapped individuals shall not be exempted from compliance with any other parking and traffic regulations.
- (f) Private spaces. Upon the written request of the owner, the Chief of Police is also authorized to designate certain parking spaces in publicly owned parking lots and privately owned parking lots to be used exclusively for the parking of a motor vehicle of a handicapped individual and shall place signs in all such restricted places to designate them for handicapped parking only. The parking spaces so designated shall be subject to the same regulations as provided in this section. The cost of the sign and/or installation by the city shall be paid by the owner to the City Clerk prior to delivery or installation of any sign.
- (g) Unlawful use. It shall be unlawful for any person not displaying a handicapped decal or placard to park any other vehicle in an area designated for handicapped parking.

(h) Evidence of certain violations. In any prosecution for a violation of this section relating to the operation or parking of a vehicle, it shall be prima facie evidence that the owner of that vehicle was operating the same at the time of the alleged violation.

(i) Penalty for violation. Any person found guilty of the violation of this section shall be punishable by a fine of Two Hundred Dollars (\$200.00).

Neal Childers then moved that said ordinance be adopted, which motion was seconded by Stanley Nixon and, upon a vote, those voting "AYE" were: John Tuck, Neal Childers, Stanley Nixon, Wade Williams, Watha Williams, Mayor Mays. Those voting "NAY": None.

Adopted by the City Council of the City of Hamilton, Alabama, November 18, 1996.