

AN ORDINANCE amending Article XXI, HANDICAPPED PARKING of the Joplin City Code upon recommendation of the City of Joplin ADA Accessibility Committee and City Staff for the purpose of ensuring compliance with Federal and State statutes.

WHEREAS the City of Joplin desires to comply with current standards for Handicapped Parking, and;

WHEREAS the City of Joplin ADA Accessibility Committee has recommended changes to the current Handicapped Parking ordinance for the purpose of ensuring compliance with Federal and State statutes.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI as follows:

Section 1. Chapter 39; Article XXI. Handicapped Parking, is hereby amended as follows:

- a. "That Section 39-500. Physically handicapped defined. be amended by the deletion of the number "1986." in the third line and replacing it with the phrase "1994 as may hereafter be amended from time to time."
- b. "That Section 39-501. Motor vehicle licensing plates or distinguishing cards. be amended by the deletion of the phrase "or in accordance with section 39-502 of this article," in the third and fourth lines and further amended by the deletion of the word "card" in the fifth line and replacing it with the word "placard". In addition, the number "1986" in the sixth line shall be deleted and the phrase "1994 as may hereafter be amended from time to time." shall be inserted in its place."
- c. "That Section 39-502. Traffic engineering division may issue identifying certificate; expiration of identifying certificate; penalty for improper use. shall be repealed and a new section 39-502. Notice of repeal shall be adopted to read as follows:

Sec. 39-502 Notice of repeal

The Traffic Engineering division of the Department of Public Works shall cease issuing or renewing handicapped parking cards. The Department shall issue notice to all individuals who have received or renewed handicapped parking cards within the previous twelve months. This notice shall state that any current handicapped parking card issued by the City of Joplin shall be come void on October 1, 1997. The Department shall cause similar notice to be posted in all locations where

these cards were sold, and in addition notice shall be published at least three (3) times in a newspaper of general circulation. All notices shall be available upon request in alternative formats.”

- d. “That Section 39-503. Establishment of handicapped parking spaces shall be repealed and a new Section 39-503. Establishment of handicapped parking spaces shall be adopted to read as follows:

Section 39-503 Establishment of handicapped parking spaces

Any person or corporation in lawful possession of a public off-street parking facility may designate reserved parking spaces for the exclusive use of vehicles which display a distinguishing license plate or distinguishing placard issued pursuant to Section 301.142, or Section 301.071 RSMo 1994 as may hereafter be amended from time to time. Designated reserved parking spaces shall be as close as possible to the nearest accessible entrance. Such designation shall be made by posting immediately adjacent thereto, and visible from, each space, a sign upon which is inscribed the international symbol of accessibility in white on a blue background, and may also include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or distinguishing placard issued pursuant to Sections 301.142 or 301.071 RSMo 1994 as may hereafter be amended from time to time. Designated reserved parking spaces shall at all times comply with current State and Federal standards. Any person or corporation herein described shall at all times comply with Federal and State statutes and regulations.”

- e. “That Section 39-504. Presumption of compliance or violation shall be repealed and a new Section 39-504 Presumption of compliance or violation shall be adopted to read as follows:

Sec. 39-504. Presumption of compliance or violation.

A person who has a distinguishing disabled license plate or distinguishing placard as provided by Section 301.142, or Section 301.071 RSMo. 1994 as may hereafter be amended from time to time, shall be presumed to be utilizing the space in accordance with the terms of this article. An individual who does not have a distinguishing license plate or distinguishing placard as provided by this article shall be presumed to be in violation of the provisions of this article. Such a presumption shall be rebuttable and may be overcome by the individual charged or other parties submitting evidence to the contrary.”

- f. “That Sec. 39-505. Removal of vehicles not displaying a distinguishing license plate or distinguishing card be repealed and a new Section 39-505. Removal of vehicles not displaying a distinguishing license plate or placard be adopted to read as follows:

Sec. 39-505. Removal of vehicles not displaying a distinguishing license plate or placard.

The owner or person in lawful possession of a public off-street parking facility may, after notifying the Joplin Police Department, cause the removal of any vehicle not displaying a distinguishing license plate, or distinguishing placard issued pursuant to Section 301.142, or Section 301.071 RSMo 1994 as may hereafter be amended from time to time, or placard issued by any other state which has reciprocity with the State of Missouri, from a space designated for physically handicapped persons if there is posted immediately adjacent to, and readily visible from, such space, or in a conspicuous place at each entrance to the public off-street parking facility, a sign not less than seventeen (17) by twenty-two (22) inches in size and lettering not less than one inch in height, which clearly and conspicuously states the following:

‘Unauthorized vehicles parked in space reserved for physically disabled persons and not displaying distinguishing license plates or distinguishing placards issued for physically disabled persons will be towed away at the owner’s expense. Towed vehicles may be reclaimed at (address) or by telephoning (telephone number).’”

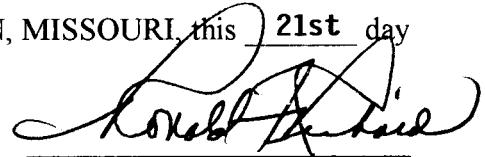
- g. “That Section 39-506. Parking prohibited without handicapped permit; penalty shall be repealed and a new Section 39-506 Parking prohibited when; penalty shall be adopted to read as follows:

Sec. 39-506 Parking prohibited when; penalty

- a. No person shall park any vehicle in a space designated as reserved for handicapped parking, unless that vehicle possesses and has properly displayed a properly issued distinguishing license or placard as described in section 39-501 of this chapter.
- b. No person shall park any vehicle displaying a disabled license plate or placard as described in section 39-501 of this chapter in any space designated for the handicapped unless the physically handicapped occupant is in the motor vehicle at the time of parking or the physically handicapped person is being delivered or collected.
- c. No person shall park any vehicle in the area properly designated as part of the handicapped parking area used for ingress and egress from a vehicle, which is also known as the access aisle.
- d. No person shall park a vehicle within three (3) feet of any sidewalk-access ramp constructed to be accessible to and usable by the physically handicapped.

- e. Any person found guilty of violating this Article shall be punished as provided by section 1-5 of this Code."
- h. "That Section 39-507. Parking near handicapped sidewalk accesses and ramps prohibited be repealed and a that Section 39-508 Display of certificates, courtesy parking, be renumbered as Section 39-507 Display of certificates, courtesy parking."
- i. "That Section 39-509 Enforcement be amended as the deletion of the number "1986." in the fourth line and replacing it with the number "1994 as may hereafter be amended from time to time." and that Section 39-509 be renumbered Section 39-508 Enforcement."
- j. "That Section 39-510. On-street handicapped parking zones. be renumbered Section 39-509. On-street handicapped parking zones."

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this 21st day
of April, 1997



Mayor

ATTEST:



Harry C. Davis
City Clerk

APPROVED AS TO FORM

Anna D. Due
City Attorney

EFFECTIVE 20 DAYS FROM DATE