



# BOROUGH OF TARENTUM

Allegheny County, Pennsylvania



## ORDINANCE #19-01

ORDINANCE OF THE BOROUGH OF TARENTUM, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, REGULATING THE PARKING OF MOTOR VEHICLES ON CERTAIN STREETS, PROVIDING PROCEDURES FOR THE ISSUANCE OF HANDICAPPED PARKING SPACES ON PUBLIC STREETS WITHIN TARENTUM BOROUGH AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

**WHEREAS**, the provisions of the Commonwealth of Pennsylvania Motor Vehicle Code specifically, Section 3354 (d)(2) authorizes local authorities to erect certain signs on highways indicating that a place is reserved for a person with a disability, or a severely disabled veteran, and that no parking by others will be authorized in such space; and

**WHEREAS**, the Council of Tarentum Borough believes it is necessary to establish procedures for the creation and allocation of handicapped parking spaces within Tarentum Borough; and

**WHEREAS**, the Council of Tarentum Borough believes it is necessary to adopt such provisions to better regulate the creation of such parking spaces and to monitor the necessity for their continuing existence to avoid undue congestion on the streets and thoroughfares of Tarentum Borough and promote the free usage thereof.

**NOW, THEREFORE**, BE IT ORDAINED AND ENACTED by Council of the Borough of Tarentum, and it is hereby ordained and enacted by authority of same as follows:

### **ARTICLE I: HANDICAPPED PARKING RULES AND REGULATIONS.**

#### **Section 1.1 – Provisions for the Establishment of Handicapped Parking Areas**

- A. Any person with a disability registration plate or severely disabled veteran registration plate may make application to the Tarentum Borough for the creation of a reserved parking space at or near their place of residence.
- B. Any individual requesting the creation of a reserved parking space shall complete an application for same, in a form to be determined by the Borough, and submit same to the Chief of Police of Tarentum Borough for review.

#### **Section 1.2 – Application Process**

The application submitted by any person seeking the creation of a handicapped parking space shall include, at a minimum, the following:

- A. The name and address of the applicant;



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- B. Proof of disability registration plate or severely disabled veteran registration plate registered to the applicant;
- C. A statement as to whether the applicant has access to off street parking at or near their residence;
- D. A statement as to whether there are any other facilities constructed within the applicant's residence that is designed to accommodate the disability claimed to be suffered;
- E. Any other information required by the Chief of Police to make a determination whether the request should be granted.

### Section 1.3 – Review and Approval

- A. The Chief of Police shall review and, where deemed appropriate, cause the creation of such space on the public roadway within Tarentum Borough as close as possible to the disabled person's place of residence and direct the placement of a sign indicating (1) that such space is reserved for a person with a disability registration plate or severely disabled veteran registration plate; (2) that no parking is allowed there by others; and (3) that any unauthorized person parking in such area will be subject to a fine and may be towed.
- B. In the event the Chief of Police determines the applicant is entitled to the creation of the parking area referenced herein, he shall issue a permit for the creation of such space to the applicant, whereupon the applicant shall pay a fee of seventy-five dollars (\$75.00) to cover the cost and expense associated with the construction of the sign and creation of the space referenced herein.
- C. In the event the Chief of Police denies the application for the creation of a handicapped parking space, he shall notify the applicant accordingly. The applicant may then take an appeal within ten (10) days of receipt of that determination to the Council of Tarentum Borough regarding the denial of the request for the creation of such space.

### Section 1.4 – Renewal

- A. Any permit issued for a handicapped parking space hereunder shall be valid for a period of no more than two (2) years and shall be subject to renewal biennially in January. Such application for renewal shall contain the same information as that required for a new application. A renewal application fee of fifty dollars (\$50.00) shall be charged at the time such renewal application is submitted for administrative costs and expenses incurred by the Borough in the renewal process. The Chief of Police may, following review of the application for renewal (1) reissue the permit for a handicapped parking space; (2) relocate the space already created; or (3) deny the request for the re-creation of such space.



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- B. Failure to properly renew a handicap parking permit within thirty (30) days of renewal notice sent by the Borough shall result in the removal of such person's current handicapped parking space.

## Section 1.5 – Revocation

The Chief of Police may at any time revoke or cause the removal of any handicapped parking area whenever the applicant no longer occupies the premises for which the space is issued or the disability registration plate or severely disabled veteran registration plate for which the permit is issued is no longer valid.

## Section 1.6 - Penalties

It shall be unlawful for any person to violate the handicapped parking provisions of this Ordinance. Any person violating the handicapped parking area provisions of this Ordinance relating to the application, renewal or maintenance of handicapped parking spaces, shall be guilty of a summary offense and, upon conviction before a Magisterial District Judge having jurisdiction over same, be sentenced of a fine of not less than three hundred dollars (\$300) nor more than one thousand dollars (\$1,000) and, in default of payment thereof, be sentenced to the maximum punishment provided for summary offenses under Pennsylvania Law.

The provisions of this Ordinance are severable. In the event any term or provision of this amendment are held to be void or invalid, the remaining provisions of this Ordinance shall remain in full force and effect.

**IN WITNESS WHEREOF**, this Ordinance is duly Ordained and Enacted by the Council of the Borough of Tarentum at a public meeting held this 7th day of March, 2019.

ATTEST:

BOROUGH OF TARENTUM

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Michael L. Nestico, Borough Manager

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Erika Josefowski, President of Council

EXAMINED AND APPROVED by me this 7th day of March, 2019.

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David A. Regoli, Esq., Solicitor

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Eric Carter, Mayor