

CITY OF CENTRAL

BY COUNCILMEMBER MCKINNEY:

ORDINANCE NO. 2020-27

AN ORDINANCE TO AMEND THE PROCESS FOR ENFORCING MOBILITY IMPAIRED PARKING RESTRICTIONS AND TO PROVIDE FOR RELATED MATTERS

WHEREAS, Ordinance No. 2009-05 enacted Chapter 28 entitled Parking;

WHEREAS, Section 11:5 as enacted by Ordinance No. 2009-05, provides for enforcement pursuant to the administrative procedures set forth in Chapter 1 of Title 15 or by a court of competent jurisdiction;

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Central, State of Louisiana as follows:

Section 1. Section 11:5 entitled Mobility-impaired parking: restrictions; violations, is hereby repealed.

Section 2. Section 11:450 entitled Mobility-impaired parking: restrictions; violations, is hereby enacted to read as follows:

Section 11:450 – Parking spaces for mobility-impaired persons.

Responsibilities.

- (a) The Chief of Police and the sheriff of the parish shall be responsible for the enforcement of parking laws and ordinances inside corporate limits of Central.
- (b) The district attorney is responsible for prosecuting, in the 19th Judicial District Court, violations of the parking regulations set out hereinafter in sections 11:437 through 11:444.
- (c) The director of the department of public works is responsible for the enforcement of emplacement and maintenance of official parking-control devices by property owners when and as required under applicable state laws and local ordinances.

Section 3. Section 11:451 is hereby enacted to read as follows:

Parking spaces for mobility-impaired persons.

- (a) The director of the department of public works is hereby authorized to determine the need for and to designate by proper signs areas on public streets and in publicly owned

parking facilities which are to be reserved for the exclusive use of vehicles bearing a license plate issued to a person with a disability. The director of public works shall determine and designate the appropriate signs and/or markings to be used to designate such parking areas.

- (b) Each owner or lessee of a public facility shall, in accordance with applicable zoning and building codes, provide and maintain a minimum number of specially designed and marked motor vehicle parking spaces for the exclusive use of persons whose vehicles are identified by license plates or parking cards for the mobility impaired issued pursuant to R.S. 47:463.4 or 463.1. The mobility-impaired parking spaces shall adhere to the ADAAG specifications and shall include mobility-impaired loading and unloading areas, access aisles, access ramps, and curb cuts. The minimum number of such parking space shall be as established by ADAAG. Public facility, as the term is used in this section, shall be as defined in R.S. 40:1732, and shall include private property which is open to the public and to which the public is invited for commercial or governmental purposes. The fire marshal may, in cases of extreme hardship, waive any provisions of this section after consultation with the office of rehabilitative services.
- (c) Owners of private facilities which do not fall within the definition of being a "public facility," as defined in R.S. 40:1732, may designate certain spaces within their parking areas to be reserved for the exclusive use of vehicles bearing the license plate issued to a person with a disability.
- (d) Any owner or lessee of a public facility who fails to provide and maintain spaces reserved and designated for the exclusive use of vehicles bearing a special license plate or parking card issued to a mobility-impaired driver free of obstructions shall be fined not more than five hundred dollars (\$500.00).

Section 4. Conflicts

The specific terms and conditions of this Ordinance shall prevail against prior ordinances of the City to the extent there is any conflict.

Section 5. Severability

If any section, subsection, sentence, clause or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and effect.

Section 6. Effective Date

This Ordinance shall be effective upon publication.

Introduced before the Council on August 25, 2020.

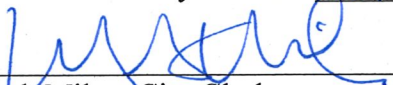
This Ordinance having been submitted to a vote, the vote thereon was as follows:

For: Evans, Freneaux, McKinney, Moak, Myer, Roy, Wells
Against: None
Absent: None

Adopted this 8th day of September, 2020.

Signed this 11th day of September, 2020.

Delivered to Mayor on the 14th day of September, 2020:



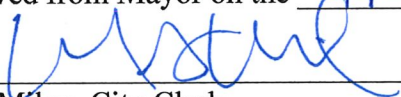
Mark Miley, City Clerk

Approved:



David R. Barrow, Mayor

Received from Mayor on the 14th day of September, 2020:



Mark Miley, City Clerk

Adopted Ordinance published in The Advocate on the 24th day of September, 2020.