

ORDINANCE NUMBER 10 OF 2006

**AN ORDINANCE ESTABLISHING A POLICY FOR
HANDICAPPED PARKING SPACES**

WHEREAS, Throop Borough Council recognizes the need for a reasonable policy to allow for the application and issuance of handicapped parking space permits in the Borough of Throop; and

NOW THEREFORE, it is hereby resolved and ordained by the Borough of Throop Council, as follows:

SECTION A. APPLICATION PROCESS

- 1. Any resident of Throop Borough may make application to the Borough for a handicapped parking space, only after acquiring a license plate or placard or a disabled veteran license plate.*
- 2. All applications shall be mailed or delivered to Throop Borough Building.*
- 3. New applications shall be reviewed by the Mayor, Secretary and Chief of Police, who will make recommendations to Throop Borough Council.*
- 4. Renewal applications shall be reviewed by the Mayor and Secretary who will make recommendations to Borough Council who in turn will make the final determination regarding renewal of existing spaces.*
- 5. Each applicant, whether for a new permit or a renewal, shall complete an application form and provide the Borough with all the information requested.*
- 6. An incomplete application form may be denied by the Borough.*
- 7. The initial cost will be \$10 per request.*

SECTION B. APPLICATION RENEWAL

- 1. Each permit for a handicapped parking space shall be renewed on an annual basis.*
- 2. Applications for renewal shall be submitted to the Throop Borough Building between January 1 and January 31 of each calendar year.*
- 3. In making the final determination regarding the renewal of a previously permitted handicapped space, the Borough shall apply the criteria contained in this policy.*
- 4. Once a permit is not renewed for any reason, any application by the same applicant shall be considered a new application and shall be governed by the provisions of this policy.*
- 5. A \$5 renewal fee will be charged.*

SECTION C. LOCATION OF HANDICAPPED PARKING SPACES

- 1. No more than two (2) handicapped parking spaces shall be located on any block where parking is permitted on both sides of the streets.*
- 2. No more than one (1) handicapped parking space shall be located on any block where parking is permitted on only one side of the street.*
- 3. All handicapped parking spaces permitted prior to the effective date of this ordinance shall be allowed to remain as located but must be renewed annually beginning January 1, 2007.*

4. *In the event that previous handicapped parking spaces exceed the maximum allowed per block, Borough Council shall refrain from granting any additional spaces in that block until the number of handicapped spaces falls below the maximum allowed.*

SECTION D. STANDARDS

1. *No permit shall be granted where adequate handicapped accessible off-street parking is available.*
2. *No permit shall be granted if the address does not own a vehicle.*
3. *All applicants shall meet at least one of the following requirements:*
 - a. *the applicant is wheelchair/confined;*
 - b. *the person requesting a permit is caring for a person who has a severe physical or mental disability and lives at the same address;*
 - c. *the applicant is unable to walk a distance of fifty feet (applicant may be asked to perform this and/or produce documentation verifying this condition);*
 - d. *the applicant has severe cardiopulmonary insufficiency requiring the use of ambulatory oxygen;*
 - e. *the applicant requires the use of prosthetic devices that restrict normal ambulation.*
 - f. *the applicant has other physical or mental limitations that Throop Borough believes are severe enough to warrant a handicapped parking space.*

SECTION E. REFACTION OF PERMIT

1. *The Borough reserves the right to revoke any permit for a handicapped parking space at any time for any reason.*

SECTION F. EFFECTIVE DATE

1. *The effective date of this ordinance is November 30, 2006.*

SECTION G.

If any section, clause, provision or portion of this ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The Borough of Throop reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Ordinance and the effective administration thereof.

SECTION H.

This Ordinance shall become effective immediately upon approval.

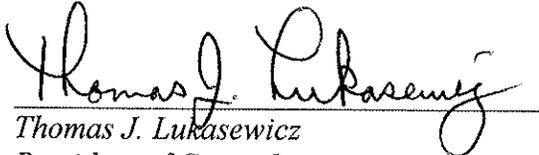
SECTION I.

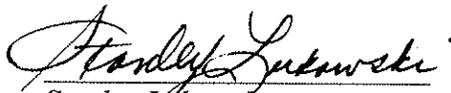
This Ordinance is enacted by the Council of the Borough of Throop under the authority of the Act of the Legislative, as amended, December 12, 1990, P.L. 1994, No. 220, and any other applicable law arising under the laws of the Commonwealth of Pennsylvania.

SECTION J.

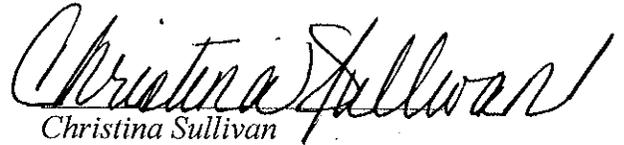
All existing Ordinances of the Borough of Throop or parts thereof which are inconsistent with the provisions of the Ordinance are hereby repealed.

Approved this 30th day of November 2006.


Thomas J. Lukasewicz
President of Council


Stanley Lukowski
Mayor

Attest:


Christina Sullivan
Secretary

AMENDMENT

ORDINANCE NUMBER 10 OF 2006

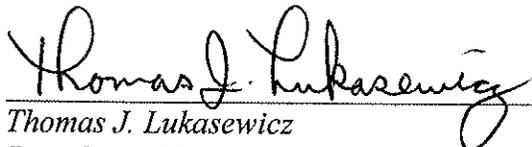
**ESTABLISHING A POLICY FOR THE ISSUANCE OF
HANDICAPPED PARKING SPACES**

SECTION C. PARAGRAPH 3.

SECTION C.

3. All handicapped parking spaces permitted prior to the effective date of this ordinance must be renewed beginning January 1, 2007 pursuant to which Throop Borough shall apply the criteria contained in this policy.

Approved this 14th day of December 2006.


Thomas J. Lukasewicz
President of Council


Stanley Lukowski
Mayor

Attest:


Christina Sullivan
Secretary