

## **ORDINANCE NO. 1, 2018**

### **AN EMERGENCY ORDINANCE OF THE CITY OF PARK HILLS, IN KENTON COUNTY, KENTUCKY, ESTABLISHING THE PROCEDURE TO QUALIFY FOR ON-STREET HANDICAP PARKING**

**WHEREAS**, the City Council has recognized the need for physically handicapped persons to have reserved on-street parking available within a reasonable proximity to their private property;

**WHEREAS**, the City Council desires to establish a procedure for residents to qualify for such on-street parking; and

**WHEREAS**, under KRS §83A.060(7) an emergency exists due to a disabled resident's immediate need for reserved on-street parking.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF PARK HILLS, KENTUCKY, AS FOLLOWS:**

#### **SECTION 1**

A new §72.20 "APPLICATION REQUIRED AND CRITERIA" shall state as follows:

(A) A physically disabled person may apply to the City Clerk for a designated on-street disabled parking space.

(B) The applicant shall meet all of the following criteria to qualify for a designated on-street disabled parking space:

- (1) The applicant must provide proof of a disabled license plate, pursuant to KRS §186.042; a disabled veteran license plate, pursuant to KRS §186.041; or a special disabled parking permit issued by the Kenton County Clerk, pursuant to KRS §189.456;
- (2) The applicant or a resident of the address must own an automobile and possess a valid operator's license;
- (3) The applicant must provide a copy of the deed showing ownership of the parcel of property where the on-street disabled parking space will abut or, if the residence is rented, the applicant must provide written authorization from the owner indicating there is no objection to the on-street disabled parking space;
- (4) The applicant's residence must lack available off-street parking, if the applicant's residence has off-street parking and the applicant is applying for an on-street handicap parking space to be installed the City Clerk may request consideration by the City Council to approve the application on a case-by-case basis;
- (5) The proposed on-street disabled parking space must not interfere with public safety and other necessary public services.

## **SECTION 2**

A new §72.21 “APPLICATION GUIDELINES” shall state as follows:

The following procedural guidelines shall be observed when making application for an on-street disabled parking space.

(A) A completed application shall be submitted to the office of the City Clerk. All supporting documentation shall be submitted at the time of application.

(B) The application and supporting documentation will be reviewed by the City Clerk to ensure compliance with the criteria contained in §72.20.

(C) A decision to approve or deny a request will be made, in writing, to the applicant within 14 calendar days after receipt of the application by the city.

(D) If an application for on-street disabled parking space is approved, an application fee of \$75 shall be submitted to the city before final processing of an application will occur.

(E) The City Public Works Department will install a disabled parking sign and paint a portion of the curb abutting the applicant’s address in order to designate the on-street disabled parking space.

(F) The on-street disabled parking space designation shall expire on December 31 of each year. The applicant shall be required to reapply to the office of the City Clerk within 30 days after the expiration to provide proof that the on-street disabled parking designation remains warranted. A reapplication fee of \$10 shall be submitted at the time of reapplication. If the reapplication fee is not paid within the designated 30 days, an additional late fee of \$10 will be assessed. The city may remove the sign for failure to pay the reapplication fee. Once a sign has been removed, a new application must be submitted in order for the sign to be reinstalled.

(G) Any disabled person having the proper disability designation on the vehicle may utilize an on-street disabled parking space. Only vehicles without the proper disabled parking designation will be ticketed.

(H) If the applicant for the on-street handicap parking space is no longer a resident, or is deceased, the sign and post will be removed.

## **SECTION 3**

A new §72.22 “ADDITIONAL ELIGIBILITY” shall state as follows:

Public buildings, businesses, churches, schools and places of assembly shall also be eligible to apply for an on-street disabled parking space. The applicant must comply with the guidelines in §72.20(B)(3) through (5). The requests shall be considered by the City Clerk on a case-by-case basis.

## **SECTION 4**

A new §72.23 "APPEAL" shall state as follows:

Any person or entity denied an on-street disabled parking space may appeal the decision to the City Council within 30 days after receipt of written notification from the city.

**SECTION 5**

Any and all ordinances in conflict with this ordinance shall be, and hereby are, repealed to the extent of said conflict.

**SECTION 6**

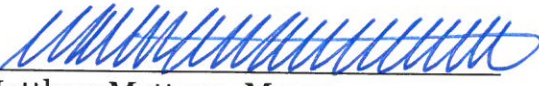
If any part of this ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this ordinance are severable.

**SECTION 7**

For the reasons set forth above, an emergency is hereby declared to exist and the provisions of this Ordinance shall become effective immediately upon its adoption by a vote of two-thirds or more of the City Council.

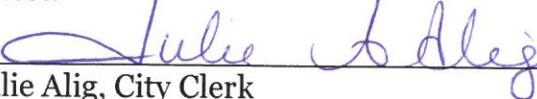
Passed by City Council on 1/8, 2018.

CITY OF PARK HILLS, KENTUCKY

By:   
Matthew Mattone, Mayor

First Reading for emergency ordinance: 1/8/18

Attest:

  
Julie Alig, City Clerk

PUBLICATION: 1/23/18