

**BOROUGH OF EVERSON
FAYETTE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 200

AN ORDINANCE REGULATING THE ISSUANCE OF HANDICAPPED PARKING SPACES AND SIGNS, PROVIDING FOR APPLICATION REVIEW AND PROCEDURES FOR ISSUANCE OF HANDICAPPED PARKING SPACES AND SIGNS, AND RENEWAL OF HANDICAPPED PARKING SPACES AND SIGNS IN THE BOROUGH OF EVERSON

BE IT ORDAINED AND ENACTED by the Council of the Borough of Everson, as follows:

SECTION I. DEFINITIONS

As used in this Ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

- 1.1 “Handicapped Person.”** An individual possessing a handicapped or severely disabled veteran registration plate or placard.
- 1.2 “Handicapped Parking Sign.”** A sign issued by the Borough of Everson reserving parking for one (1) vehicle space and erected at a designated and agreed upon area for access for a handicapped person.
- 1.3 “Issuing Authority.”** Everson Police Department. If the Everson Police Department is not available to review or issue the permit, then the Code Enforcement Officer may do so.
- 1.4 “Owner.”** Actual owner, agent or custodian of the property wherein a sign will be erected.

SECTION 2. APPLICATION PROCEDURE

- 2.1.** Any resident of the Borough of Everson may make application to the Borough of Everson for a handicapped parking space only after acquiring a handicapped license plate or placard or a disabled veteran license plate.

- 2.2. Applications are to be completed in their entirety and shall include appropriate medical documentation. An incomplete application form will be denied by the Borough of Everson.
- 2.3. All applications shall be delivered to Borough of Everson, 232 Brown Street, P.O. Box 4, Everson, Pennsylvania, 15631.
- 2.4. New applications shall be reviewed and approved by the Issuing Authority, who will make the final determination regarding the granting of a handicapped parking space.
- 2.5. Renewal applications shall be reviewed and approved by the Issuing Authority, who will make the final determination regarding renewal of existing spaces.
- 2.6. Each applicant, whether for a new permit or a renewal, shall complete an application and provide the Borough of Everson with all the information requested.
- 2.7. Temporary applications shall be reviewed and approved by the Issuing Authority, who will make the final decision in granting this temporary handicapped space for a period not to exceed three (3) months in length. If the space is needed for a longer period of time, a renewal application must be filled out and returned to the Borough of Everson no later than two (2) weeks before the expiration date of the handicapped space or it will be denied. Renewal applications for temporary handicapped parking spaces shall be reviewed and approved by the Issuing Authority, who will make the final determination regarding the renewal of existing spaces.
- 2.8. The Borough of Everson will promulgate and have available said applications for handicapped parking signs.
- 2.9. Each applicant shall submit with the completed application a written statement from his or her treating physician describing disability at the time of application, including, but not limited to the anticipated duration of disability.
- 2.10. Upon receipt of an application for a handicap parking space, the Borough of Everson shall consider the following factors and standards:

- a. No permit shall be granted where adequate handicapped-accessible, off-street parking is available.
- b. The owner of the vehicle used for the applicant must reside at the same address as the applicant. A copy of the vehicle registration must accompany the application as proof of residence.
- c. Any change in address or change in health status must be reported to the Borough of Everson in writing within thirty (30) days of change.
- d. Overall availability of parking in the area wherein a sign is requested.
- e. The living arrangements of an individual applicant herein; for example, a disabled person living alone and responsible for his or her own transportation.
- f. Existing parking problems in the area wherein a sign is requested.
- g. All applicants shall meet at least one (1) of the following requirements:
 - (i) The applicant is wheelchair confined.
 - (ii) The person requesting the permit is caring for a person who has a severe physical or mental disability.
 - (iii) The applicant is unable to walk a distance of two hundred (200) feet without stopping to rest. Applicant may be asked to perform this and/or produce documentation verifying this condition.
 - (iv) The applicant has severe cardiopulmonary insufficiency requiring the use of ambulatory oxygen.
 - (v) The applicant requires the use of prosthetic devices that restrict normal ambulation.
 - (vi) The applicant has other physical or mental limitations that the Borough of Everson believes are severe enough to warrant a handicapped parking space.

2.11. Upon approval of a new or temporary application, the applicant shall pay the Initial Application and Installation Fee to the Borough of Everson. If the applicant also wishes to have a license plate number placed on the sign to reserve the space for a particular vehicle, the applicant must pay an additional Specific License Plate Reservation Fee.

2.12. All approved applications shall be subject to annual review.

2.13. Approval or denial of applications will be made within thirty (30) days by the Everson Code Enforcement Officer.

SECTION 3. APPLICATION RENEWAL

3.1. Each permit for a handicapped parking space shall be renewed on an annual basis, except for temporary handicapped spaces, as in 2.7, above.

3.2. Applications for renewal, except for temporary space renewal, shall be submitted to the Borough of Everson, 232 Brown Street, P.O. Box 4, Everson, Pennsylvania, 15631, between January 1st and January 31st of each calendar year, with the Renewal Fee.

3.3. In making the final determination regarding the renewal of a previously permitted handicapped space, the Borough of Everson shall apply the criteria contained in this Ordinance.

3.4. 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 new application provisions of this Ordinance, including but not limited to the payment of the Initial Application and Installation Fee.

SECTION 4. FEES

4.1. The Initial Application and Installation Fee for permanent and temporary handicapped parking spaces is One Hundred Twenty-five (\$125.00) dollars. This fee also applies to any person permitted a handicapped parking space who fails to file a renewal application within the time frame allowed by this Ordinance.

4.2. The Specific License Plate Reservation Fee shall be an additional one-time fee of Ten (\$10.00) dollars paid at the time of the Initial Application and Installation Fee.

4.3. The Renewal Fee for handicapped parking spaces is Twenty-five (\$25.00) dollars per year.

4.4. All fees for permanent and temporary handicapped parking spaces and renewal of permanent and temporary handicapped parking spaces are non-refundable.

SECTION 5. LOCATION OF HANDICAPPED PARKING SPACES

5.1. 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 between January 1st and January 31st of each calendar year thereafter.

5.2. The Borough of Everson reserves the right to review the placement and location of handicap parking spaces to determine if a limitation to the number of handicap spaces in any street would be necessary.

SECTION 6. LOG OF HANDICAPPED PARKING SPACES AND APPLICATIONS

6.1. The Issuing Authority shall maintain a log of all existing handicapped parking spaces at the time of the effective date hereof. Further, the Issuing Authority will maintain a log of all applications for handicapped parking spaces.

SECTION 7. REVOCATION OF PERMIT AND REMOVAL OF SIGN

7.1. The Borough of Everson reserves the right to revoke any permit or remove any sign for a handicapped parking space at any time for any reason.

SECTION 8. PENALTIES

8.1. A person owning a vehicle parked in a handicapped parking designated area without a handicapped plate or placard properly displayed and qualifying under this Ordinance will be subject to citation.

8.2. It shall be unlawful for any person or owner of realty to erect a handicapped parking sign upon the streets of the Borough of Everson without first making application for a handicapped

parking sign through the Borough of Everson. Any violations hereunder will constitute a summary criminal offense under the laws of the Commonwealth of Pennsylvania, and each day of violation hereunder will be considered a separate offense.

8.3. Any person, firm or corporation who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than Fifty (\$50.00) Dollars nor more than Three Hundred (\$300.00) Dollars or imprisonment for a term not to exceed ninety (90) days, or both at the discretion of the Court.

SECTION 9. EXEMPTIONS

9.1. Disabled veterans of any branch of the armed forces are exempt from paying any and all application and installation fees, renewal fees or penalties as set forth in this Ordinance, upon showing proof of same.

SECTION 10. GENERAL PROVISIONS

10.1. Any stipulations made at the time of application regarding the eligibility of an applicant may be updated periodically at the request of the issuing authority.

10.2. Handicapped parking spaces shall not supersede existing parking regulations, including, but not limited to street sweeping, snow ban or snow removal regulations.

10.3. Handicapped parking signs will remain the property of the Borough of Everson.

10.4. The granting of a handicapped parking space permit does not entitle the applicant to the exclusive use of this space unless they pay the Specific License Plate Reservation Fee. Otherwise, this space can be used by other handicapped persons and disabled veterans.

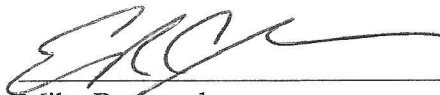
10.5. In this Ordinance, the singular shall include the plural; the plural shall include the singular; and the masculine shall include the feminine and neuter.

10.6. Any ordinance or part of an ordinance conflicting with the provisions of this Ordinance shall be and the same is hereby repealed to the extent of such conflict.

10.7. This Ordinance shall be effective immediately upon passage and approved in the manner prescribed by law.

ORDAINED AND ENACTED by the Council of the Borough of Everson, this 21st
day of January, ~~2018~~. 2019.

BOROUGH OF EVERSON

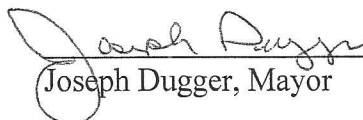


~~Mike Banaszak~~
Vice President of Council

ATTEST:

Vera Stevens
Borough Secretary

APPROVED this 21st day of January, 2019, ~~2018~~.



Joseph Dugger, Mayor

ATTEST:

Vera Stevens
Borough Secretary

Borough Use Only

Application #: _____

Date Received: _____

Granted or Denied: _____

Date Issued or Denied: _____

Issued or Denied By: _____

Date Fee Received: _____

Amount of Fee: \$ _____

Date Sign installed: _____

Borough of Everson
232 Brown Street
P.O. Box 4
Everson, PA 15631

APPLICATION FOR HANDICAPPED
PARKING SIGN

NAME: _____

DATE: _____

ADDRESS: _____

PHONE #: _____ EMAIL (optional): _____

SIGN LOCATION: _____

HP LICENSE # OR PLACARD #: _____ EXPIRATION DATE: _____

(If you have a handicapped licensed plate, you MUST include a copy of the vehicle owner's registration card. If you have a disability parking placard, you MUST provide a copy of the disability parking placard with your application.)

DISABILITY SECTION

(TO BE COMPLETED BY PHYSICIAN OR YOU MAY SUBSTITUTE A LETTER FROM YOUR PHYSICIAN WHICH OUTLINES YOUR DISABILITY AND WHY YOU NEED A HANDICAPPED PARKING SPACE)

Applicant's/Patient's Name: _____

(a) TYPE OF DISABILITY)please specify):

(b) IS DISABILITY PERMANENT OR TEMPORARY? (If temporary, please give estimated length of time. If more than one disability, please indicate accordingly):

(c) TYPE OF MOBILITY AIDS USED:

- ☐ Wheelchair (Electric) ☐ Guide Dog ☐ Walker ☐ None
☐ Wheelchair (Manual) ☐ Crutches ☐ Cane
☐ Other (please specify): _____

Physician's Signature

Date

Physician's Name (Please Print)

Phone Number

Address

END OF PHYSICIAN SECTION