

ORDINANCE NO. 088-025

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 9, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF ORDINANCES, TOWN OF ADDISON, TEXAS, PROVIDING FOR DESIGNATION OF HANDICAPPED PARKING SPACES; DEFINING DISABLED OR HANDICAPPED PERSONS; PROVIDING FOR SIGNS; DECLARING UNLAWFUL PARKING IN HANDICAPPED PARKING SPACES; PROVIDING FOR REMOVAL OF UNAUTHORIZED VEHICLES; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That Section 9-133 of the Code of Ordinances, Town of Addison, Texas, be and the same hereby is amended to read as follows:

Sec. 9-133. Parking for handicapped persons.

(a) Designation of parking spaces . In accordance with state law, the owner or operator of property used for parking may designate one or more parking spaces of a parking area for the exclusive use of vehicles transporting temporarily or permanently Disabled Persons.

(b) Definition of disabled or handicapped person. For the purpose of this section, a Disabled Person is a person who is either certified by a licensed physician as having a physical disability necessitating vehicle parking that is near the entrance of a building or a person who is disabled as that term is defined in section 2, Article 6675a-5e.1, Vernon's Texas Civil Statutes.

(c) Signs. The owner or operator of a parking facility may choose to obtain from the city a sign for designating parking space for vehicles transporting Disabled Persons at a charge equal to the city's cost in preparing the sign, or he may construct or cause to be constructed such sign.

(d) Unlawful parking in space designated for Disabled Person. A person commits an offense if, as operator of a motor vehicle that does not have displayed a disabled parking identification card issued by the county tax collector, does not display a specially designed license plate, symbol, tab or other device issued to disabled veterans or Disabled Persons by the Texas Highway Department, or does not have with him a certificate from a licensed physician as provided hereinabove in paragraph (b), he stops, stands or parks the motor vehicle in a parking space designated for use by vehicles transporting Disabled Persons.

(e) Removal of unauthorized vehicles. If the operator of a motor vehicle that does not have displayed a disabled parking identification card issued by the county tax collector or does not have displayed a specially designed license plate, symbol, tab or other device issued to disabled veterans or disabled persons by the Texas Highway Department, or the operator does not have with him a certificate from a licensed physician as provided hereinabove in paragraph (b), and such operator stops, stands or parks the motor vehicle in a parking space designated for a vehicle transporting a Disabled Person, that vehicle is an unauthorized vehicle for the purposes of Article 6701g-2, Vernon's Texas Civil Statutes. An unauthorized vehicle, whether on public or private property, may be removed from a parking space designated for a vehicle transporting a Disabled Person, and stored at the expense of the owner or operator of the vehicle.

SECTION 2. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

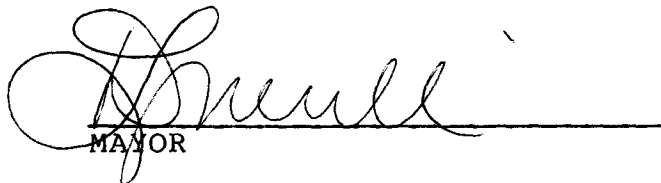
SECTION 3. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a penalty of fine only not to exceed the sum of Two Hundred and no/100 Dollars (\$200.00) for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 5. The fact that the present code of Ordinances does not provide for designation of handicapped parking spaces and therefore, is inadequate to properly safeguard the general public health and safety, creates an emergency and an imperative public necessity, and the ordinance shall take effect and be in force from and after its adoption.

DULY PASSED by the City Council of the Town of Addison, Texas, this the 14th day of June, 1988.

APPROVED:

  
MAYOR

ATTEST:

  
CITY SECRETARY