

ORDINANCE NO. 2021-5

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF NESQUEHONING, CARBON COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF NESQUEHONING, CHAPTER 15 ORDINANCE NO. 2014-3 AND KNOWN AS THE HANDICAPPED PARKING ORDINANCE.

BE IT ORDAINED AND ENACTED by the Council of The Borough of Nesquehoning as follows:

THE COUNCIL OF THE BOROUGH OF NESQUEHONING HEREBY ORDAINS AND ENACTS THE FOLLOWING AMENDMENT TO ORDINANCE NO. 2014-3 WHICH IS AMENDED AS FOLLOWS:

ARTICLE II - DEFINITIONS

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

a) Disabled Reserved Parking Sign:

A sign issued by the Borough of Nesquehoning reserving parking for one (1) vehicle space and erected at a designated and agreed upon area for access for persons with disabilities

b) Exclusive Reserved Disabled Parking Space:

An approved reserved disabled parking space reserved EXCLUSIVELY for a specific person.

c) Person with a disability

An individual who does not have full use of a leg or both legs or an arm or is blind or is in loco parentis of such a person. Evidence must be provided of the loss of use of a lower extremity, cardiopulmonary condition or other condition which substantially restricts movement or otherwise requires the use of a wheelchair, crutches, walker or similar device for purposes of locomotion. Proof of possession of a handicapped or severely disabled veteran registration plate or placard must likewise be produced.

d) Handicapped Parking Sign/Space

A parking area on the streets and highways of the Borough of Nesquehoning which is designated by the Borough Council of Nesquehoning by way of the

erection of a sign issued by the Borough and/or the painting of a restricted parking area upon the street for the parking of one (1) vehicle which designated area shall be most expeditiously placed to permit access for the person with a disability to residential quarters.

e) Issuing Authority

Nesquehoning Borough Council

f) Owner

Actual owner, Agent or custodian of the property wherein a handicapped parking area will be designated.

ARTICLE III - APPLICATION PROCEDURE

2. Any person requesting the reservation of a parking space because of a physical or mental disability, shall make application therefor, in writing, to the Borough Secretary, which application shall set forth or be accompanied by :

- a) The name and address of the applicant
- b) The exact space in feet and location of the parking space requested
- c) The type of physical or mental disability of the applicant
- d) An evaluation report from a licensed doctor setting forth the specific disability of the applicant.
- e) A handicapped or severely Disabled Veteran's Registration Plate or placard.
- f) Whether the applicant wants a disabled reserved parking sign reserved exclusively for the applicant or an unreserved parking sign not specifically reserved for the applicant.

9. Upon submission of an application, the applicant shall pay a fee of Fifty (\$50.00) Dollars for an unreserved handicapped parking sign or Seventy-five (\$75.00) for an exclusive reserved handicapped parking space to the Borough of Nesquehoning which fee shall be applied to the erection of a sign and/or a space painted at applicant's residence designated the Handicapped parking only space. If after submission of an application for an unreserved handicapped parking sign the applicant wants to change the space to an exclusive reserved handicapped parking sign, then the applicant must submit a new application with the appropriate filing fee for same.

13. Disabled veterans of any branch of the Armed Forces, meeting the standards specified

in this Ordinance and having a disability military connect with honorable service, are exempt from paying any and all application and installation fees, renewal fees or penalties as set forth in this ordinance, upon showing of satisfactory proof of same.

ARTICLE IV - GENERAL PROVISIONS:

8. The granting of an “exclusive” reserved disabled parking space does entitle the applicant to the exclusive use of that space. If an “exclusive” permit is requested and approved, that parking space will have a sign posted as to who has exclusive use of that parking space e.g. Handicapped parking exclusively Reserved for number _____. The applicant for an exclusive reserved handicapped [parking space shall also be issued a placard with the name of the applicant, the license number and make of the vehicle along with the number issued by the Borough for the exclusive sign. However, the granting of a reserved disabled parking space (non-exclusive) does not entitle the applicant to the exclusive use of that space. The space can be used by other authorized disabled persons and disabled veterans.

ARTICLE VII - This ordinance amendment shall be effective _____, 2021.

As to all other matters contained in the Borough Code they are hereby ratified and this Amendment shall be effective immediately upon adoption.

ENACTED and ORDAINED this 28th day of July, 2021.

BOROUGH OF NESQUEHONING,

BY: _____

President

ATTEST:

Secretary

APPROVED by the Mayor of the Borough of Nesquehoning this 28th day of July, 2021.

Samuel J. Ketho
Mayor