

Councilman Beatty

Introduction: FEB 12 2024

Adoption: MAR 11 2024

ORDINANCE NO 5813

MAR 11 2024

AN ORDINANCE OF THE CITY OF ALTOONA, BLAIR COUNTY, PENNSYLVANIA, WHICH AMENDS CHAPTER 700 "VEHICLES AND TRAFFIC" OF THE ALTOONA CITY CODE, PARTICULARY ARTICLE VII "HANDICAPPED PARKING SPACES", SECTION 700-26 "GENERAL SPECIFICATIONS" TO CLARIFY THE SPECIFICATIONS FOR HANDICAPPED PARKING SPACES, TO PROVIDE A REAFFIRMATION OF THE REMAINDER OF CHAPTER 700, TO PROVIDE A REPEALER, SAVINGS CLAUSE AND AN EFFECTIVE DATE

WHEREAS, the City of Altoona, pursuant to the terms and conditions of its Home Rule Charter and the Pennsylvania Third Class City Code, 11 Pa. C.S.A. Section 101, et. seq. has the authority to adopt Ordinances necessary for the safety and general welfare of its citizens; and

WHEREAS, the City of Altoona previously adopted Chapter 700 "Vehicles and Traffic", Article VII "Handicapped Parking Spaces" of the Altoona City Code to outline the procedures, standards and fees with respect to the placement and installation of requested handicapped parking spaces on streets within the City of Altoona in a manner that promoted the interests of the public health, safety and welfare; and

WHEREAS, the City of Altoona recognizes the need to clarify Section 700-26 "General Specifications", in order to clarify the specifications for requested handicapped parking spaces on streets within the City of Altoona in a manner which promotes the safety and general welfare of its citizens

WHEREAS, the City of Altoona recognizes that it is necessary to amend Chapter 700, "Vehicles and Traffic", Article VII, "Handicapped Parking Spaces", Section 700-26 "General Specifications" to accomplish this goal.

BE IT ORDAINED by the Council of the City of Altoona that Chapter 700, "Vehicles and Traffic", Article VII "Handicapped Parking Spaces", Section 700-26 "General Specifications" of the City of Altoona Code is hereby amended with all language underlined to be added and all language with a strike through to be deleted as follows:

SECTION I. REVISION TO CHAPTER 700. Chapter 700, "Vehicles and Traffic", Article VII "Handicapped Parking Spaces", Section 700-26 "General Specifications" of the City of Altoona Code is hereby amended as hereinafter set forth.

Article VII
Handicapped Parking Spaces

[Adopted 11-12-1997 by Ord. No. 5436; amended in its entirety 9-23-2009 by Ord. No. 5596]

§ 700-25 Reserved parking areas.

[Amended 6-12-2013 by Ord. No. 5639]

Citizens who meet the established criteria and pay the required fees shall be accorded a reserved parking area in front of their dwelling.

§ 700-26 General specifications.

- A. The erection and granting of these signs shall be the responsibility of the City of Altoona Department of Public Works.
- B. There must be no off-street parking available for the vehicle in question. ~~It shall be presumed that no off-street parking is available if the topography, turning radius, nature of the disability or other factors effectively prohibit the use of the available off-street parking.~~
- C. No space shall be granted in a parking restricted zone or in an area which would jeopardize the health, safety, or welfare of the general public.
- D. Tenants must have signed authorization from the landlord/owner before receiving a permit/sign.
- E. Signs and permits will be renewed after their initial one-year period upon the presentation of required documentation. Failure to apply for and receive a renewal will result in removal of the sign and cancellation of the permit.
- F. Signs shall be the property of the City of Altoona and shall not be transferable.
- G. The handicap parking space may be used by any person parking a vehicle lawfully bearing registration plates or placards issued to handicapped persons. This Article shall not be construed as granting the applicant the exclusive right to park his/her vehicle in the handicap parking space.
- H. In the event of a snow emergency, any vehicle in the parking space must be moved for the duration of the snow emergency to permit the City to clear the streets to protect the health, safety and welfare of the public.
- I. The City Engineering Department shall perform a field check with respect to any request for a handicapped parking space. The City reserves the right to deny a request for a handicapped parking space if the placement of such a space and/or the corresponding sign would jeopardize the health, safety or welfare of the public.
- I. The City is permitted to implement an "On Street Handicapped Parking Policy and Application", consistent with the terms and conditions of Chapter 700 of the City Code. All applicants must comply with the terms and conditions of the "On Street Handicapped Parking Policy and Application". The City is permitted to modify the policy and application as necessary to comply with Chapter 700, any other provision of the Altoona City Code or any applicable State or Federal statute and/or regulation.

SECTION II. REAFFIRMATION.

Chapter 700, except as amended hereby, shall remain in full force and effect.

SECTION III. AMENDMENT AND RESTATEMENT/REPEAL.

Any prior enactment imposing the same or similar requirements is amended and restated in its entirety to read as stated in this Ordinance. Any other prior ordinance or part of any prior ordinance conflicting with the provisions of this Ordinance is rescinded insofar as the conflict exists. To the extent the provisions of this Ordinance are the same as any enactment in force immediately prior to adoption of this Ordinance, the provisions of this Ordinance are intended as a continuation of such prior enactment and not as a new enactment. If this Ordinance is declared invalid, any prior enactment levying a similar requirement shall remain in full force and effect and shall not be affected by adoption of this Ordinance. If any part of this Ordinance is declared invalid, the similar part of any prior enactment imposing similar requirements shall remain in effect and shall not be affected by adoption of this Ordinance. The provisions of this Ordinance shall not affect any act done or liability incurred, nor shall such provisions affect any suit or prosecution pending or to be initiated to enforce any right or penalty or to punish offense under the authority of any enactment in force prior to adoption of this Ordinance. Subject to the foregoing provisions of this Section, this Ordinance shall amend and restate on the effective date any enactment imposing the same or similar requirements in force immediately prior to the effective date.

SECTION IV. SAVINGS CLAUSE.

Nothing in this chapter or in the Ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this chapter.

SECTION V. EFFECTIVE DATE.

This Ordinance shall become effective at the earliest possible date provided by law.


ORDAINED AND ENACTED by the Council of the City of Altoona this 11th day of March, 2024.

ATTEST:

CITY OF ALTOONA



Linda Rickens Schellhammer, City Clerk

By: 

Matthew Pacifico, Mayor

