

CITY OF HOMER
HOMER, ALASKA

ORDINANCE 87-27(A)

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF HOMER AMENDING CHAPTER 7.08, STOPPING OR PARKING, OF THE HOMER MUNICIPAL CODE TO PROVIDE FOR THE REGULATION OF PARKING FOR THE HANDICAPPED.

WHEREAS, there is a need to restrict the unauthorized use of parking spaces within the City of Homer designated for the use of handicapped persons; and

WHEREAS, handicapped parking is appropriately controlled by local law enforcement authorities through the enactment of ordinances pertaining thereto; and

WHEREAS, the City of Homer does not presently have a specific ordinance controlling the use of handicapped parking spaces.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

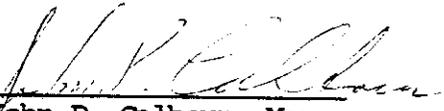
Section 1. Chapter 7.08, Stopping or Parking, of the Homer Municipal Code, is hereby amended by the addition of Section 7.08.45 to read as follows:

7.08.45 Handicapped Parking:

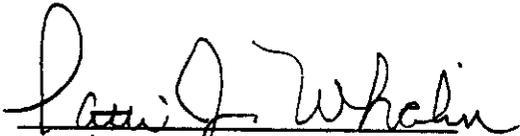
- a. No person may park or cause to be parked a motor vehicle in a parking space designated for handicapped parking only, whether such parking space is on public or private property, unless such vehicle displays a valid handicapped parking permit issued or approved by the City Manager or his designee.
- b. Any police officer or parking enforcement officer may enforce this section within any public or private parking area by issuing a citation pursuant to Subsection d. hereof or within any public parking area by causing the vehicle to be immediately removed as provided by Section 7.08.050 of this chapter. Only a person who owns or controls a private parking area containing a designated handicapped only parking space may cause the vehicle parked in violation of this section to be removed and towed as provided in Section 7.08.050.
- c. For purposes of this section, a "parking space designated for handicapped parking only" is a parking space conspicuously posted or marked as being restricted to vehicles displaying handicapped parking permits, provided that such posting or markings shall conform to a uniform style approved by the traffic engineer.

- d. The penalty for violating this section shall be \$100.00 for each citation issued, notwithstanding the penalty provision contained in Section 7.08.060 of this chapter or the general penalty provision set forth in Section 1.16.010 of the Homer Municipal Code. Notice of the specific penalty hereunder shall be posted on the face of all signs erected within the city.
- e. The officer responding to an apparent violation may waive the requirement of Section A if he or she finds that the person who parked, or caused to be parked, in a designated handicapped parking spot is actually or recently handicapped or is a handicapped visitor from outside the City of Homer.

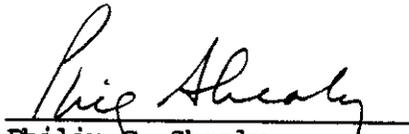
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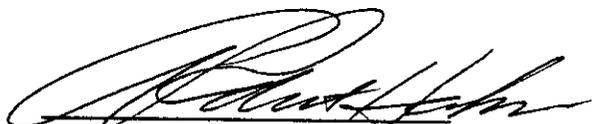
By 
John P. Calhoun, Mayor

ATTEST:


Patti J. Whalin, City Clerk

Reviewed and Approved as to form and content:


Philip E. Shealy
City Manager
Date: 2/9/88


A. Robert Hahn, Jr.
City Attorney
Date: 1-25-88

First Reading: 12/20/87
Public Hearing: 1/11/88
Second Reading: 1/25/88
Date of Adoption: 1/25/88
Effective Date: 1/26/88