

Ordinance No. 14-_____

AN ORDINANCE OF THE CITY OF BILLINGS MONTANA AMENDING BILLINGS MONTANA CITY CODE SECTIONS 24-442, 24-443 AND 24-443.1 RELATING TO SPECIAL PARKING PRIVILEGES FOR HANDICAPPED PERSONS

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1: The Billings Montana City Code shall be amended as follows:

Sec. 24-442. Definition.

The term "special parking permit", as used in this division, means:

- (1) A special handicapped parking permit issued by the state department of justice or a special one hundred (100) percent disabled veteran license plate issued under 61-3-332(9), MCA;
- (2) A distinguishing handicapped person's license plate or placard issued by a foreign jurisdiction.

Sec. 24-443. Extent of privileges.

(a)

The special parking permit entitles a person to park a motor vehicle in special parking spaces reserved for handicapped persons whether on public property or on private property available for public use.

(b)

A vehicle other than one lawfully displaying a valid special parking permit prominently displayed in the windshield and conveying a handicapped person or special license plates and carrying a qualified disabled person or a one hundred (100) percent disabled veteran may not be parked in a parking space on public or private property that is clearly identified by an official sign as being reserved for use by handicapped persons.

Sec. 24-443.1. Requirements for handicapped parking spaces.

All handicapped parking spaces constructed and reserved for handicapped persons or special parking permit holders on ways of this state open to the public as defined in 61-8-101, MCA must comply with the following requirements.

(1)

The space must be located on a smooth, level surface as near as practicable to building entrances or walkways that have curb cuts and appropriately designed ramps and access lanes to accommodate wheelchairs.

(2)

If parallel to curbside, the parking space must be separated from an adjacent space, either in the front or the rear, by at least five (5) feet of striped no-parking area.

(3)

If at an angle to curbside, the parking space must be at least eight (8) feet wide and free of obstruction if located at the end of a line of angle parking spaces, and each other angle parking space designated for handicapped persons must be at least thirteen (13) feet wide.

(4)

A parking space reserved for handicapped persons must be designated by a sign showing the international symbol of accessibility, indicating that a permit is required, and stating the penalty for a violation. In order to meet the penalty statement requirement, signs existing on October 1, 1993, must have attached a decal stating the penalty for a violation. The sign must be attached to a wall or post in such a way that it is not obscured by a vehicle parking in the space.

Section 2: Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may give effect without the invalid provisions or applications and, to this end, the provisions of this ordinance are declared to be severable.

Section 3. Repealer. All resolutions, ordinances and sections of the City Code inconsistent herewith are hereby repealed.

Section 4. Effective Date. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Approved by the Billings City Council on first reading this 11th day of August 2014.

Approved by the Billings City Council on second and final reading this 25th day of August 2014.

By: _____

Thomas W. Hanel, Mayor

ATTEST:

By _____
Cari Martin, City Clerk