

BOROUGH OF WEST VIEW  
ORDINANCE NO. 1503

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING CRITERIA AS TO THE ISSUANCE OF HANDICAP PARKING PERMITS WITHIN THE BOROUGH.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Council of the Borough of West View, Allegheny County, Commonwealth of Pennsylvania, that the following criteria as to the issuance of handicap parking permits within the Borough of West shall be adopted:

1. That any handicapped person or severely disabled veteran who desires to have the Borough erect on the highway as close as possible to their place of residence a sign or signs indicating that such place is reserved for a handicapped person or severely disabled veteran, that no parking is allowed by others who are not handicapped or severely disabled, and that any unauthorized person parking there shall be subject to a \$50.00 fine, pursuant to the provisions of §3354(d) of the Pennsylvania Motor Vehicle Code, 75 Pa.C.S.A §3354(d), shall, on an annual basis, make application for the erection of such sign or signs to the Borough, and which application shall include, but not be limited to, the following information:
  - A. A vehicle must be registered to a handicapped resident and the vehicle must be driven by the handicapped person, or a family member who also resides at the same address.
  - B. A copy of the current special registration plate for one passenger car or other vehicle with a registered gross weight of not more than 9,000 pounds, designating the vehicle so licensed as being used by a handicapped person pursuant to §1338(a) of the Pennsylvania Motor Vehicle Code, 75 Pa.C.S.A. §1338(a).
  - C. Verification of one of the requirements listed in Section 3(G)(i) through (iv) of this Ordinance, said proof to be provided, in writing, by one of applicant's treating physicians, with said verification to be signed by the treating physician.
2. An application or renewal for the erection of a sign or signs from a handicapped person or severely disabled veteran under the provisions of this Section shall be made to the Chief of Police or his designee on an annual basis, which year shall run from January 1<sup>st</sup> through December 31<sup>st</sup> of the following year and any applications for the subsequent calendar year must be filed by December 31<sup>st</sup> of the current calendar year. Otherwise, if new applications or renewal applications for the erection of such signs are not filed with the Chief of Police or his designee by December 31<sup>st</sup> of the calendar year, they shall expire on December 31<sup>st</sup> of that

same calendar year, and shall not be valid for the subsequent calendar year until such time as they can actually be approved by the Chief of Police or his designee. All handicapped parking spaces permitted prior to the effective date of this Ordinance shall be allowed to remain as located but must be renewed annually beginning January 1, 2020.

3. In making the final determination regarding the grant of a new application or the renewal of a previously permitted handicapped space, the Chief of Police or his designee shall apply the following criteria:
  - A. No more than one (1) handicapped parking space shall be issued per household.
  - B. No more than two (2) handicapped parking spaces shall be located on any block where parking is permitted on only both sides of the street.
  - C. No more than one (1) handicapped parking space shall be located on any block where parking is permitted on only one side of the street.
  - D. In the event that previously permitted spaces exceed the maximum allowed by block, the Borough, through the Chief of Police or his designee, shall refrain from granting any additional spaces in that block until the number of handicapped spaces falls below the maximum allowed.
  - E. No permit shall be granted where adequate handicapped accessible off-street parking is available.
  - F. No permit shall be granted if the address does not have a vehicle registered at the address requested.
  - G. All applicants must meet at least one (1) of the following requirements, and shall provide verification of the same, in writing, provided by treating physician of applicant by one of applicant's treating physicians, with said verification to be signed by the treating physician:
    - i. The applicant is wheelchair bound;
    - ii. The applicant has severe cardiopulmonary insufficiency requiring the use of ambulatory oxygen;
    - iii. The applicant requires use of a prosthetic device(s) that restricts normal ambulation; and/or
    - iv. The person requesting a permit is caring for a person who meets one of the criteria of (i), (ii) and/or (iii).
4. In considering whether or not to grant new applications or renewal applications for the erection of a sign or signs from a handicapped person or severely disabled veteran under the provisions of this Ordinance, the Chief of Police or his designee shall consider the health, safety and welfare of the Borough and shall have the authority to deny such applications, or modify such applications.
5. In the event there is a material improvement in the physical condition of the applicant to the extent that the applicant would no longer qualify under the criteria set forth herein, the special parking privilege shall terminate and be withdrawn and the handicapped parking space shall be removed. Likewise, the

handicapped parking space shall be removed if there is a change in the circumstances such that the handicapped parking space shall no longer be appropriate under the criteria referred to herein. Further, any misstatement, error, incomplete or misleading representation or application or part thereof shall nullify any grant, and the special parking forfeited and parking space removed.

6. A parking spot so designated as being for a handicapped person or severely disabled veteran will be open to anyone with an appropriate plate or placard for their vehicle.
7. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such holding shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared severable.
8. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
9. Effective Date. This Ordinance shall become immediately effective upon the date of execution.

ORDAINED AND ENACTED THIS 14th day of February, 2019.

ATTEST:

BOROUGH OF WEST VIEW

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Police Chief Bruce A. Fromlak  
Borough Secretary

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William F. Aguglia  
Council President

Approved as to form:

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Mayor John R. Henry