



Legislation Text

File #: 16-00098, **Version:** 2

Ordinance No. 16-29 amending Section 103 (Parking Privilege For The Disabled) and creating a new Section 108 (Disabled Parking Plate Or Placard Required) of Article 13 (Stopping, Standing or Parking Regulations Sign Required) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as amended, pertaining to disabled parking

Presenter:

Cmdr. Pat Rigdon and Lt. Scott Schwall, Colorado Springs Police Department

Summary:

The ordinance makes the following changes/additions to the City Code:

Section 1 amends 10.13.103, which is titled "Parking Privilege for the Disabled." Section 2 adds a new Code section under 10.13.108 titled "Disabled Parking Plate or Placard Required."

Previous Council Action:

N/A

Background:

Presently the vast majority of disabled parking enforcement done by the Colorado Springs Police Department ("CSPD") is handled by Community Advancing Public Safety ("CAPS") volunteers who have been appointed as Special Police Officers to enforce City Code Section 10.13.103.

The CAPS volunteer members of the Handicap Parking Services Unit ("HPSU") have found that the majority of the violations they encounter are expired hang tags/placards and license plates. The State issued placards and plates are good for three years in most cases. On expiration, the owner must obtain a new letter of authorization from a physician to renew it. The volunteers have found during their enforcement that many people continue to use expired placards because their mobility is no longer limited enough to qualify or, for a variety of reasons, the placards are no longer possessed by the person to whom they were originally registered.

Presently the City Code under section 10.13.103B only requires that a "placard or license plate issued to a disabled person shall be displayed on the vehicle while parked in the space." The Section is silent on whether the placard or license plate must be unexpired. Amending the City Code to specifically require that a placard or plate be currently valid and unexpired will help ensure that the disabled person is still in control of the authorization. The change will also lessen the possibility of misuse, encourages valid disabled holders to keep their placards and plates up to date, and educates the disabled holders about the expiration date. Additionally the proposed ordinance tracks Colorado Revised Statutes Section 42.3.204(3)(a)(II) language regarding the requirement that a placard or license plate be currently valid or expired less than one month prior to the day the person

used the disabled parking place.

If the proposed ordinance is adopted the CAPS HPSU volunteers' Special Police Officer Letter of Appointment will be revised to add enforcement powers for the newly created City Code section 10.13.108.

This item supports the City's strategic goal relating to excelling at City services. This change to the City Code will greatly increase the enforcement ability of the all-volunteer HPSU and improve the availability of handicapped parking spaces for those disabled persons who need them.

Financial Implications:

CSPD does not anticipate any significant additional costs for enforcement of this proposed ordinance, as enforcement would be a part of the regular law enforcement activities that Police Department personnel and volunteers currently perform.

Board/Commission Recommendation:

N/A

Stakeholder Process:

During the drafting process CSPD received input from the CAPS volunteer enforcement officers and the Prosecution Division of the City Attorney's Office.

Alternatives:

City Council may choose to approve, deny or modify the attached draft Ordinance

Proposed Motion:

N/A

The ordinance amends City Code Section 10.13.103 and creates a new City Code Section 10.13.108 which requires a valid and unexpired disabled parking placard or license plate to park in a disabled parking space.