

**Article VIII — Handicapped Parking Spaces**

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## Article VIII — Handicapped Parking Spaces

### § 41-801 Restricted Parking.

No parking shall be allowed in any handicapped parking space designated in § 41-802 or § 41-802.1 by any vehicle other than one which bears an HP or DV license plate, or displays a handicapped person or severely disabled veteran parking placard, issued by the Pennsylvania Department of Transportation and, in the case of a space designated in § 41-802, which is registered in the name of the disabled person identified in § 41-802 for that space or another person residing with that person.

[Ords. 415 10-29-2003, 557 09-25-2019]

### § 41-802 Designated Spaces—Residential.

The following spaces are designated handicapped parking spaces. Unless otherwise indicated below, the length of the space shall be twenty-two (22) feet, and the center of the space shall be the point where the street curblineline intersects the center-line of the sidewalk or other access-way used by the disabled person to access the dwelling on the designated property:

	<u>Expiration</u>	<u>Street/Side</u>	<u>Location</u>
1.	December 31, 2026	Walnut Street, Easterly Side	In front of 329 Walnut Street
2.	December 31, 2026	West Third Street, Northerly Side	In front of 31 West Third Street, immediately to the east of the fire hydrant no parking zone.

	<u>Expiration</u>	<u>Street/Side</u>	<u>Location</u>
3.	December 31, 2026	West Second Street, Southerly Side	From the point one hundred forty-two (142) feet west of the western curbline of Walnut Street, to the point twenty-two (22) feet west of the starting point.
4.	December 31, 2026	Franklin Street (SR 3001), Westerly Side	From the point three hundred ten (310) feet south of the southern curbline of School Street, to the point twenty-two (22) feet south of the starting point. (Across the street from 329 Franklin Street, and partly across the street from 333 Franklin Street).
5.	December 31, 2026	Walnut Street, Easterly Side	At the side walkway/stairway entrance to 133 West Second Street
6.	December 31, 2030	Moty Drive, Southerly Side	From the western edge of the curb cut for the driveways serving 328 Moty Drive to the point twenty-two (22) feet west of the starting point.
7.	December 31, 2030	Franklin Street (SR 3001), Easterly Side	From the point forty-two (42) feet south of the eastern curbline of South Main Street (SR 3001), to the point twenty-two (22) feet south of the starting point (the second parking space south of South Main Street, in front of 215 Franklin Street).

[Ords. 415 10-29-2003, 425 07-14-2004, 426 09-29-2004, 436 08-31-2005, 456 01-10-2007, 499 12-14-2011, 510 09-11-2013, 517 02-12-2014, 531 09-09-2015, 557 09-25-2019, 562 01-29-2020, 588 08-14-2024, 600 10-08-2025, 602 12-29-2025]

**§ 41-802.1 Designated Spaces—Other.**

The following spaces are designated handicapped parking spaces. Unless otherwise indicated below, the length of the space shall be twenty-two (22) feet:

	<u>Street</u>	<u>Side</u>	<u>From:</u>	<u>To:</u>
1.	Franklin Street (SR 3001)	Westerly	The point one hundred fifty-eight (158) feet north of the northwesterly curbline of Church Street.	The point twenty-two (22) feet north of the starting point.
			(Across the street from 339 Franklin Street)	

[Ord. 557 09-25-2019]

### § 41-803 Signs.

All official traffic control devices erected and maintained in connection with the restrictions of this Article shall state the penalty provided by law for violations and state that vehicles in violation may be towed.

[Ord. 415 10-29-2003]

### § 41-804 Penalties.

All violations of this Article shall be subject to the penalties provided by 75 PA. CONS. STAT. § 3354(f) and (g).

[Ord. 415 10-29-2003]

### § 41-805 Applications for Handicapped Parking Spaces.

(a) **In General.** All applications for handicapped parking spaces must be made in writing on forms prescribed by the Borough Manager. The person making the application (“**Applicant**”) need not be the person (“**Disabled Person**”) the handicapped parking space is intended to accommodate.

(b) **Criteria.** Council shall have complete discretion whether to grant any particular request for a handicapped parking space, but shall generally grant a request which satisfies all of the following criteria:

(1) **PennDOT.** The Pennsylvania Department of Transportation has issued a permanent person with disabilities or disabled or severely disabled veteran license plate or placard with respect to the Disabled Person which is currently in effect. Temporary plates or placards are not sufficient;

(2) **Medical Condition.** A Pennsylvania licensed physician has certified, based on an examination conducted no more than six (6) months before the date of the application, that the Disabled Person:

- (A) cannot walk more than two hundred (200) feet without stopping to rest;
- (B) cannot walk without the use of, or assistance from, a walker, wheelchair, or another person;
- (C) cannot walk more than five hundred (500) feet without difficulty, even with the assistance of a brace, cane, crutch, prosthetic device, or other assistive device;
- (D) cannot cross roads;
- (E) uses portable oxygen;

(F) is restricted by lung disease to such an extent that the Disabled Person's forced (respiratory) expiration volume for one second, when measured by spirometry, is less than one (1) liter or the arterial oxygen tension is less than sixty (60) mmHg on room air at rest; or

(G) has a cardiac condition to the extent that the Disabled Person's functional limitations are classified in severity as Class III or Class IV according to the standards set by the American Heart Association; and

(3) **Off-Street Alternatives.** There is no off-street parking area (such as a garage, driveway, or parking lot) sufficient in size for a standard-sized automobile available for use by occupants of the Disabled Person's residence ("**Residence**"). The fact that such an area is actually being used for other purposes does not make the area "unavailable".

(c) **Location.** Council will generally establish a handicapped parking space at a location near to the street end of the primary paved surface used by the Disabled Person to access the Residence from a public street. Where the proposed handicapped parking space is located (all or partially) along the frontage of property not owned by a person residing at the Residence (including a landlord of the Residence and owners of property adjacent or near to the Residence or across the street from the Residence), the Applicant shall attempt to obtain the consent of the owner(s) of such property(ies) to the proposed handicapped parking space and submit it with the application or explain why it could not be obtained. Council reserves the right to deny a handicapped parking space where such consents are not provided, or grant a handicapped parking space despite the absence of such consents or the objection of other property owners.

(d) **Duration.** Handicapped parking spaces will generally be granted through the earlier of (A) the first December 31 following the fifth (5<sup>th</sup>) anniversary of the adoption of the ordinance approving the handicapped parking space, or (B) the last day that the Disabled Person is expected to need use of the handicapped parking space. However, Council reserves the right to rescind a handicapped parking space at any time by ordinance, especially when Council has reason to believe the criteria which justified the handicapped parking space no longer apply. The Applicant, Disabled Person, or family member or personal representative of the Disabled Person or his/her estate should inform the Borough Manager whenever any of the following occur:

(1) the Disabled Person dies;

(2) the Disabled Person no longer resides at the Residence;

(3) the Disabled Person's permanent person with disabilities or disabled or severely disabled veteran license plate or placard expires and has not been renewed, reissued, or replaced;  
or

(4) the Disabled Person's condition has improved so as to no longer satisfy subsection (b)(2).