

ORDINANCE NO. 02-594

AN ORDINANCE RELATING TO handicapped and disabled parking; to define and redefine terms; to repeal conflicting ordinances and sections; to provide for the publication of this ordinance in pamphlet form; and to provide an effective date.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF FRIEND, NEBRASKA:

Section 1. Section 5-413 of the Municipal Code of Friend, Nebraska is amended to read as follows:

PARKING; HANDICAPPED OR DISABLED PERSONS; DEFINITIONS.

For purposes of this Article:

(A) Access aisle means a space adjacent to a handicapped parking space or passenger loading zone which is constructed and designed in compliance with the federal Americans with Disabilities Act of 1990 and the federal rules and regulations adopted and promulgated in response to the act. (Neb. RS 18-1736)

(B) (1) Handicapped or disabled person means any individual with a severe visual or physical impairment which limits personal mobility and results in an inability to travel unassisted more than 200 feet without the use of a wheelchair, crutch, walker, or prosthetic, orthotic, or other assistant device, any individual whose personal mobility is limited as a result of respiratory problems, any individual who has a cardiac condition to the extent that his or her functional limitations are classified in severity as being Class III or Class IV, according to standards set by the American Heart Association, and any individual who has permanently lost all or substantially all the use of one or more limbs.

(2) Temporarily handicapped or disabled person means any handicapped or disabled person whose personal mobility is expected to be limited in such manner for no longer than one year. (Neb. RS 18-1738)

(C) Handicapped parking infraction means the violation of any section of this Article regulating (1) the use of parking spaces, including access aisles, designated for use by handicapped or disabled persons, (2) the unauthorized possession, use, or display of handicapped or disabled parking permits, or (3) the obstruction of any wheelchair ramps constructed or created in accordance and in conformity with the federal Americans with Disabilities Act of 1990. (Neb. RS 18-1741.01)

Section 2. Any other ordinance or section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in pamphlet form or posting as required by law.

Passed and approved this 4th day of December, 2002.



Roger C. Hauer
Mayor

Debbie Gilmer
Clerk