

Legislation Details (With Text)

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File created: 2/14/2008 **In control:** Committee on the Disabled and the Handicapped

On agenda: **Final action:** 11/6/2008

Title: Amending Section 12-1117 of The Philadelphia Code, entitled "Physically Handicapped and Disabled or Severely Disabled Veteran Parking," and Section 12-2809, entitled "Civil Penalties and Costs," by expressly prohibiting certain improper uses of Disabled Parking Permits and providing for penalties, all under certain terms and conditions.

Sponsors: Councilmember Kenney

Indexes: HANDICAPPED PARKING

Code sections: 12-1117 - Physically Handicapped and Disabled or Severely Disabled Veteran Parking

Attachments: 1. CertifiedCopy08014900.pdf

Date	Ver.	Action By	Action	Result	Tally
11/19/2008	0	MAYOR	SIGNED		
11/6/2008	0	CITY COUNCIL	READ		
11/6/2008	0	CITY COUNCIL	PASSED	Pass	17:0
10/30/2008	0	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
10/30/2008	0	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
10/30/2008	0	CITY COUNCIL	ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
10/28/2008	0	Committee on the Disabled and the Handicapped	HEARING NOTICES SENT		
10/28/2008	0	Committee on the Disabled and the Handicapped	HEARING HELD		
10/28/2008	0	Committee on the Disabled and the Handicapped	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
2/14/2008	0	CITY COUNCIL	Referred		
2/14/2008	0	CITY COUNCIL	Introduced	Pass	

Amending Section 12-1117 of The Philadelphia Code, entitled “Physically Handicapped and Disabled or Severely Disabled Veteran Parking,” and Section 12-2809, entitled “Civil Penalties and Costs,” by expressly prohibiting certain improper uses of Disabled Parking Permits and providing for penalties, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 12-1117 of The Philadelphia Code is amended to read as follows:

§ 12-1117. Physically Handicapped and Disabled or Severely Disabled Veteran Parking.

(1) Definitions.

* * *

(i) Disabled Parking Permit. A Handicapped Plate, Handicapped Parking Placard, Severely-Disabled Veteran Plate or Severely-Disabled Veteran Placard.

(j) Disabled Person. A Physically Handicapped Person or Severely-Disabled Veteran.

(k) Handicapped Parking Space. A parking space reserved for physically handicapped persons and severely-disabled veterans, including any parking space in a public garage or public parking lot that is identified as an accessible parking space.

* * *

(4) Eligibility requirements for special parking privileges.

* * *

(b) [Except for persons parking vehicles lawfully bearing registration plates or parking placards issued to physically handicapped persons or severely-disabled veterans, no person shall park a vehicle in parking spaces reserved for physically handicapped persons and severely-disabled veterans, including any parking space in a public garage or public parking lot that is identified as an accessible parking space.] *No person shall park a vehicle in a Handicapped Parking Space unless that vehicle lawfully bears a Disabled Parking Permit and is being driven by or being used to transport a Disabled Person.*

(1) A person who parks a vehicle in a Handicapped Parking Space shall be subject to the penalties set forth in Section 12-2809 if the vehicle does not bear a Disabled Parking Permit.

(2) A person who parks a vehicle in a Handicapped Parking Space shall be subject to the enhanced penalties set forth in Section 12-2809 for fraudulently parking in a Handicapped Parking Space if the vehicle bears a Disabled Parking Permit but is not being driven by or used to transport a Disabled Person.

(c) No person shall drive or park a vehicle that displays a replica or counterfeit copy of a Disabled Parking Permit, or any document, plate or placard that bears a sufficient likeness to a Disabled Parking Permit as to be capable of or with the intent of deceiving a member of the public or an enforcement officer.

* * *

SECTION 2. Section 12-2809 of The Philadelphia Code is amended to read as follows:

§ 12-2809. Civil Penalties and Costs.

* * *

(2) Any person violating the following provisions of Title 12 shall, upon a final finding of liability pursuant to this Chapter 12-2800, be liable for payment of the civil penalty indicated, in addition to the costs and fees set forth in subsection 12-2809(1):

Code Provision	Violation Description	Penalty
* * *		
12-1117(4)(b)(.1)	Park Handicapped Space	\$300.00
12-1117(4)(b)(.2)	<i>Fraudulently Park Handicapped Space</i>	<i>\$1,000.00</i>
12-1117(4)(c)	<i>Counterfeit Handicapped Parking Permit</i>	<i>\$1,000.00</i>

* * *

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.