



Ordinance 645

AN ORDINANCE AMENDING CHAPTER 116 HANDICAPPED PARKING OF THE CODE OF THE TOWN OF ELSMERE BY ALLOWING A HARDSHIP EXCEPTION

Sponsored By:

First and Second Reading: March 14, 2019 Council Meeting

Results: Passed 7 In Favor, 0 Opposed

Third and Final Reading: April 11, 2019 Council Meeting

Results: Passed 7 In Favor, 0 Opposed

ORDINANCE 645

**AN ORDINANCE AMENDING CHAPTER 116
HANDICAPPED PARKING OF THE CODE OF THE TOWN OF
ELSMERE BY ALLOWING A HARDSHIP EXCEPTION**

WHEREAS, the Town of Elsmere has determined that some disabled residents who have driveways cannot ambulate to accessible entry points in their homes when, for example, their driveway is in the rear of the home and accessible entryways are in the front of the home; and

WHEREAS, the Code as written affords handicapped street-parking spaces under defined conditions, but specifically prohibits the issuance of handicapped street-parking space if the resident has a driveway; and

WHEREAS, there are occasions when hardships and fairness should lead to consideration of the issuance of a handicapped street-parking space even when a resident has a driveway.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF ELSMERE, AS FOLLOWS:

1. That Chapter 116, Section 6 be amended by adding a new sentence at the end of 116-6 to read as follows: Notwithstanding the prior sentence, a resident may apply to the Chief of Police for a designated handicapped parking space, even if the resident has a driveway on their property, if a hardship interferes with access from the driveway to an accessible entry point on the dwelling. If the Chief of Police denies the request, the resident may appeal the denial to the Town Council.

First and Second Reading
March 14, 2019

Third and Final Reading
April 11, 2019

Eric Thompson, Mayor

Brian Hurst, Secretary

Approved as to form:

Town Solicitor

SYNOPSIS
ORDINANCE 645

This Ordinance allows residents who have driveways to apply to the Chief of Police to have a handicapped street-parking space installed if a hardship interferes with access from the driveway to an accessible entry point on the dwelling.

Fiscal Impact:

This Ordinance is anticipated to have no fiscal impact.