

ORDINANCE NO. 430

AN ORDINANCE TO AMEND PROVISIONS RELATING TO THE PENALTIES AND PROCEDURES FOR THE UNAUTHORIZED USE OF PARKING SPACES DESIGNATED EXCLUSIVELY FOR HANDICAPPED AND DISABLED PERSONS; TO CHANGE THE REFERENCES WITH RESPECT TO HANDICAPPED PARKING INFRACTIONS; TO CHANGE THE REFERENCE WITH RESPECT TO PENALTIES AND PROCEDURES.

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF ANSLEY, NEBRASKA:

Section 1. That Chapter 5, Article 3, Section 307.08 of the Municipal Code of Ansley, Nebraska be amended to read as follows:

**PARKING; HANDICAPPED OR DISABLED PERSONS; REMOVAL OF UNAUTHORIZED VEHICLE; PENALTY.** The owner or person in lawful possession of an offstreet parking facility, after notifying the Police or Sheriff's Department, and the Municipality providing onstreet parking or owning, operating, or providing an offstreet parking facility, may cause the removal, from a stall or space designated exclusively for handicapped or disabled persons or temporarily handicapped or disabled persons, of any vehicles not displaying proper identification or the distinguishing license plates specified in this Article if there is posted immediately adjacent to and visible from such stall or space a sign which clearly and conspicuously states the area so designated as a tow-in zone.

Anyone parking in any onstreet parking space which has been designated exclusively for handicapped or disabled persons or temporarily handicapped or disabled persons or motor vehicles for the transportation of such persons, or in any so exclusively designated parking space in any offstreet parking facility, without properly displaying the proper identification or when the handicapped or disabled person to whom or for whom the license plate or permit is issued is not being transported shall be guilty of a handicapped parking infraction as defined in section 5-307-307.01, and shall be subject to the procedures as set forth in section 5-307.08 and the penalty provided for in this Chapter. If the identity of the person who parked the vehicle in violation of this section cannot be readily determined, the owner or person in whose name the vehicle is registered shall be held prima facie responsible for such violation and shall be guilty and subject to the penalty provided for in this Chapter.

In the case of a privately owned offstreet parking facility, the owner or person in lawful possession of such facility shall inform the Municipality of a violation of this section prior to taking any action pursuant to this section. (Ref. 18-1737 RS Neb.)

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

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

Passed and approved this 8th day of February, 1999.

  
Chairperson

(SEAL)

  
Clerk