

ORDINANCE NO. 431

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF HANDICAPPED PARKING CITATIONS; TO PRESCRIBE PROCEDURES FOR THE ISSUANCE OF SUCH CITATIONS; TO PROVIDE FOR THE FILING OF A COMPLAINT AND TRIAL ON SUCH CITATION.

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

Section 1. That Chapter 5, Article 3, Section 307.09 of the Municipal Code of Ansley, Nebraska be added to read as follows:

**PARKING; HANDICAPPED OR DISABLED PERSONS; CITATION, ISSUANCE; COMPLAINT; TRIAL.** (1) For any offense classified as a handicapped parking infraction, a handicapped parking citation may be issued by any peace officer or by any person designated by ordinance by the Governing Body to exercise the authority to issue a citation for any handicapped parking infraction.

(2) When a handicapped parking citation is issued for a handicapped parking infraction, the person issuing the handicapped parking citation shall enter thereon all required information, including the name and address of the cited person or, if not known, the license number and description of the offending motor vehicle, the offense charged, and the time and place the person cited is to appear in court. Unless the person cited requests an earlier date, the time of appearance shall be at least three (3) days after the issuance of the handicapped parking citation. One (1) copy of the handicapped parking citation shall be delivered to the person cited or attached to the offending motor vehicle.

(3) At least twenty-four (24) hours before the time set for the appearance of the cited person, either the Municipal Attorney or other person authorized by law to issue a complaint for the particular offense shall issue and file a complaint charging such person with a handicapped parking infraction or such person shall be released from the obligation to appear as specified.

(4) The trial of any person for a handicapped parking infraction shall be by the court without a jury. A person cited for a handicapped parking violation may waive his or her right to trial. (Ref. 18-1741.01, 18-1741.04, 18-1741.06 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to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions, is hereby repealed.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 Ferguson, 1999.

  
Chairperson

(SEAL)  
  
Clerk