



ORDINANCE 703

AN ORDINANCE OF THE CITY OF THE VILLAGE AMENDING THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE BY REVISING CHAPTER 13, SECTION 13-221; PERTAINING TO PLACING OR PARKING VEHICLE IN PARKING SPACE DESIGNATED AND POSTED FOR PHYSICALLY DISABLED PERSONS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THE VILLAGE

Section 1. That Chapter 13 of The Village City Code is hereby amended by revising Section 13-221 to read as follows:

“Sec. 13-221. Placing or Parking Vehicle in Parking Space Designated and Posted for Physically Disabled Persons.

- a) It shall be unlawful for any person to place or park a motor vehicle in any parking space that is designated and posted as a reserved area for the parking of a motor vehicle operated by or transporting a physically disabled person unless such person has applied for and been issued a detachable placard indicating physical disability under the provisions of Title 47 O.S. § 15-112, and such placard is displayed as provided in said title or in rules adopted pursuant thereto, or has applied for and been issued a physically disabled license plate pursuant to the provisions of Title 47 O.S. § 1135.1 or 1135.2 and such license plate is displayed pursuant to the provisions of the Oklahoma Vehicle License and Registration Act.
- b) It shall also be unlawful for any person to place or park a motor vehicle, whether with or without a physically disabled placard or plate, in any disabled parking space access aisle, wheelchair ramp, wheelchair loading/unloading area or any portion thereof.
- c) Violation of these provisions shall be a misdemeanor and upon conviction the person shall be fined Five Hundred Dollars (\$500.00). Provided, any person cited for a first offense of a violation of this section who has displayed a placard which has expired pursuant to Title 47 O.S paragraph 4 or 5 of subsection D of Section 15-112 shall be entitled to dismissal of such charge and shall not be required to pay the fine or court costs if the person presents to the court within thirty (30) days of the issuance of the



ORDINANCE 703

citation a notice from the Department of Public Safety that the person has obtained a valid placard pursuant to the provisions of subsection D of Section 15-112 of this title.

- d) In addition, vehicles unlawfully parked in violation of these provisions shall be subject to immediate tow by a licensed tow truck operator at the request of the landowner or a duly appointed agent of the landowner, at the request of any person unable to lawfully gain access to or move their vehicle, at the request of any person unable to lawfully gain access to the area blocked by the unlawfully parked vehicle, or at the request of appropriate law-enforcement personnel. The owner of any vehicle unlawfully parked in violation of these provisions shall pay any and all reasonable and necessary costs associated with towing and storage of the vehicle.”

State law reference - Title 47 O.S. § 11-1007 et seq.

(Ord. No. 703 §1, 03-03-2015)

Section 2. Repealer Clause. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 3. Severability Clause. If any section, subsection, sentence, clause, or portion of this Ordinance is for any reason held invalid or unconstitutional, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. Emergency. **WHEREAS**, it being necessary for the preservation of the peace, health, safety, and public good of The City of The Village and the inhabitants thereof, an emergency is hereby declared to exist, and by reason whereof, this ordinance shall take full force from and after its passage, as provided by law.



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PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF THE VILLAGE, OKLAHOMA, this 3rd day of March, 2015, after compliance with notice requirements of the Open Meeting Law (Title 25, O.S. §301, *et seq.*).

DAVE BENNETT, MAYOR

ATTEST:

City Clerk

APPROVED as to form and legality this 3rd day of March, 2015.

CITY ATTORNEY