

**CITY OF DAYTON, KENTUCKY
ORDINANCE NO. 2020-#3**

**AN ORDINANCE AMENDING THE PROCUREMENT
PROCESS FOR PARKING SPACES FOR PERSONS WITH
DISABILITIES.**

This ordinance amends the application and approval process under City Ordinance 72.12 by authorizing the City Administrator to designate parking spaces for persons with disabilities instead of City Council.

I, Tom Edge, an attorney licensed to practice law in the Commonwealth of Kentucky, acting as attorney for the City of Dayton, Kentucky, do hereby certify that this summary was prepared by me at the direction of the Council of the City of Dayton, and that said summary is a true and accurate summary of the contents of the ordinance.

TOM EDGE, Esq.

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ORDINANCE NO. 2020-#3

AN ORDINANCE AMENDING THE PROCUREMENT
PROCESS FOR PARKING SPACES FOR PERSONS WITH
DISABILITIES.

NOW, THEREFORE BE IT ORDAINED BY THE CITY OF DAYTON,
CAMPBELL COUNTY, KENTUCKY AS FOLLOWS:

Section I

That City of Dayton Ordinance 72.12 is amended as follows:

§ 72.12 DESIGNATION OF PARKING SPACES FOR PERSONS WITH DISABILITIES.

(A) ~~The [City Council]~~ City Administrator may designate any place within the city as restricted to standing of vehicles displaying license plates or other insignia issued by the Commonwealth of Kentucky or any other state to vehicles owned by or regularly transporting persons with a physical disability.

(B) Any citizen may make application to the ~~[City Council]~~ City Administrator to designate, and ~~[City Council]~~ City Administrator may designate, any place within the city as restricted to standing of vehicles carrying license plates or other insignia issued by the Commonwealth of Kentucky or any other state to vehicles owned by or regularly transporting persons with a physical disability upon the following conditions:

- (1) The applicant must reside at the property where the designated parking spot is to be located and, if the applicant is not the owner of the property, present written consent from the owner authorizing the application;
- (2) The applicant must show proof of ownership of a license plate or other insignia issued by the Commonwealth of Kentucky to vehicles owned by or regularly transporting persons with a physical disability; or ~~[City Council]~~ City Administrator must find, after a contested hearing, that applicant meets the requirements for such license plate but was denied same due either to:
 - (a) Improper interpretation of the statutory guidelines or;
 - (b) Failure to own an automobile.
- (3) The space requested must be directly adjacent to or as near as possible to the applicant's permanent residence;
- (4) The applicant's residence must lack adequate off-street parking;
- (5) The space to be designated must not interfere with public safety;

(6) The applicant must agree to reimburse the city for its reasonable costs of installation and maintenance of the space and accompanying sign as well as recordkeeping thereon; and

(7) The applicant must agree to reapply for such designated space each succeeding year during the month of January or lose such designation.

Section II

This ordinance shall be signed by the Mayor, attested by the City Clerk, recorded, published, and shall be in effect at the earliest time provided by law.

PASSED by City Council of the City of Dayton, Campbell County, Kentucky assembled in regular session.

First Reading: _____

Second Reading: _____

MAYOR BEN BAKER

ATTEST:

DONNA LEGER
CITY CLERK/TREASURER