

**BOROUGH OF HELLERTOWN
ORDINANCE NO.: 768**

**AN ORDINANCE OF THE BOROUGH OF HELLERTOWN, NORTHAMPTON COUNTY,
PENNSYLVANIA, AMENDING THE HANDICAPPED PARKING ORDINANCE BY THE
ADOPTION OF A HANDICAPPED PARKING POLICY.**

Be it enacted and Ordained and it is hereby Enacted and Ordained by the Borough Council of the Borough of Hellertown, County of Northampton and Commonwealth of Pennsylvania, the following amendments to their traffic and parking regulations, as the same are found in Chapter XVI, Part 3 of the Code of Ordinances of said Borough:

Section 1: Part 3, Section 40, Parking for Handicapped and as amended by Ordinance No. 651 established Parking rules and regulations is amended by modification of the handicapped parking procedure.

By adding the below underlined language and deleting the below crossed out language the following policy shall be utilized by the Borough in determining when an Applicant shall be granted a handicapped parking space within the Borough of Hellertown:

1. An applicant who wishes to apply for a handicapped parking space shall apply to the Hellertown Police Department. Prior to the granting of a handicapped parking space, the Borough of Hellertown shall review the current status of all off-street parking of the Applicant to determine whether or not the applicant's request meets the Borough's handicapped parking space policy. The Borough shall determine whether or not the applicant's request meets the Borough's Handicapped Parking Space Policy. ~~The Borough shall determine whether or not to grant, in its sole absolute discretion, a handicapped-parking space.~~

2. An applicant who has been granted a handicapped parking space shall be required to renew the handicapped parking space by January 31 of each subsequent year by submitting a written request for renewal of the handicapped parking space to the Borough of Hellertown. The Borough shall renew said application under the criteria set forth in the ~~Ordinance~~ Borough

Handicapped parking space policy and determine, in its sole and absolute discretion, whether to grant Applicant's renewal request.

Section 2. The following shall be added to Part 3, Section 40 of Section I as paragraph 6 as follows:

The Borough may amend the handicapped parking policy at any time by resolution.

Section 3. **Severability.** It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Ordinance Amendment to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those. Provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance Amendment shall continue to be separately and fully effective. The Borough Council hereby declares that it would have passed this Ordinance Amendment and each section thereof, other than any part declared invalid, if it had advance knowledge that any section would be declared invalid.

Section 4. **Repealer.** All ordinances, or parts of ordinances, inconsistent herewith be, and the same are hereby repealed.

All Ordinances or parts of Ordinances, inconsistent herewith and the same are, hereby REPEALED.

ORDAINED and ENACTED by the Council of the Borough of Hellertown, this _____ day of _____, 2012

ATTEST:

BOROUGH OF HELLERTOWN

Secretary

Phil Weber, Borough Council President

RICHARD FLUCK, Mayor