



Roll Call Number

Agenda Item Number

41

Date May 6, 2013

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended by adding and enacting new Sections 114-612.01, 114-616.01 and 114-618.01, and by amending Sections 114-2606, 114-3245 and 114-3247, relating to traffic and vehicle regulations",

(Council Communication No. 13-214)

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)

K. Massier

Katharine Massier
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

Mayor

City Clerk

ORDINANCE NO. _____

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended by adding and enacting new Sections 114-612.01, 114-616.01 and 114-618.01, and by amending Sections 114-2606, 114-3245 and 114-3247, relating to traffic and vehicle regulations.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended by adding and enacting new Sections 114-612.01, 114-616.01 and 114-618.01, and by amending Sections 114-2606, 114-3245 and 114-3247, relating to traffic and vehicle regulations, as follows:

Sec. 114-612.01. Handicapped Passenger loading and unloading zones.

- (a) When signs are erected giving notice thereof, no person shall park any vehicle for other than the purpose of loading or unloading handicapped passengers, at any time, or during the times specified in this section, at any of the locations designated in division 9 of article XVI of this chapter as subject to such restrictions:
 - (1) Handicapped Passenger loading and unloading, one hour limit only, 24 hours daily.
 - (2) Handicapped Passenger loading and unloading, 30 minutes limit only, 24 hours daily.
- (b) No person shall park a vehicle in a space designated as a loading and unloading zone for physically handicapped persons unless the vehicle displays, in a manner visible from outside such vehicle, a special handicapped parking identification device issued by the state department of transportation and only when the vehicle is being used, either as operator or passenger, by the individual to whom the device has been issued or by or for another individual who is confined to a wheelchair or is otherwise so physically handicapped as to have significant difficulty or insecurity in walking and who has been issued a permanent or temporary special handicapped parking identification device issued by the state department of transportation, that is properly displayed as noted above.

- (c) Para-transit vehicles licensed by the City of Des Moines, emergency rescue vehicles licensed as "official" state, county or city vehicles by the State of Iowa and Des Moines Area Regional Transit (DART) para-transit vehicles will automatically meet all of the requirements for loading and unloading in any designated handicapped loading and unloading spaces, unless their parking in a handicapped loading and unloading designated area is related to a life threatening emergency, they shall abide by the posted time limit for use of that area.
- (d) Handicapped loading and unloading areas shall be designated by a handicapped parking sign bearing the international symbol of accessibility, with a supplementary message or sign placard indicating that the area is a handicapped loading zone and also indicating the designated time limit allowed for use of that space and by no other means. Painting of the curbing or the pavement in some alternative manner is not sufficient designation and will not be permitted.
- (e) A person who violates any provision of this section shall pay a fine as defined in §114-616(c).

Sec. 114-616.01. Parking in loading zones designated for physically handicapped persons.

- (a) When official signs are erected, as noted in 14-612.01 (d), no person shall even momentarily stop a vehicle in a loading zone area designated as a space for physically handicapped persons to load and unload, unless their vehicle properly displays, in a manner visible from outside such vehicle, an official handicapped identification placard or handicapped designated license plates, issued by the state department of transportation and, only when the vehicle is being used, either as operator or passenger by the individual to whom the handicapped placard or handicapped license plate have been issued.
- (b) Designated loading and unloading areas for the physically handicapped shall be in locations which are as convenient as is feasible to the exits from or entrances to accessible residential facilities.
- (c) The installation of handicapped loading and unloading areas will be considered by the City Traffic Engineer or their designated representative, based on each individual request and based on the information provided in each request. The requestor must provide the following as proof of need.
 - (1) A written request for the installation of a handicapped loading and unloading area, stating the exact area where needed.
 - (2) Written approval/agreement from the adjacent property owner(s) for the installation of a handicapped loading and unloading area.

- (3) Provide individual proof of residence, for each requestor, at this location.
- (4) Provide a statement from the requestor giving the reason(s) why a handicapped loading zone is necessary or preferred over any other type of designated loading or unloading zone.
- (d) A person who violates any provision of this section shall pay a fine as defined in §114-616(c).

Sec. 114-618.01. Handicapped passenger loading & unloading signs.

Handicapped loading and unloading spaces shall be designated by a handicapped parking sign bearing the international symbol of accessibility, with the addition of a supplementary message indicating the designated spaces are for loading and unloading and that a specific time limit exists, and by no other means. Painting the international symbol of accessibility on the pavement, painting curbs or other methods of designating these spaces are not sufficient to properly designate the handicapped parking loading and unloading spaces.

Sec. 114-2606. Third Street--Locust Street to Grand Avenue.

Third Street, on the east side, from Locust Street to a point 150 feet north thereof, no parking any time.

Third Street, on the east side, from a point 196 feet north of Locust Street to a point 27 feet north thereof, is designated a handicapped loading zone, 30-minute limit, and is subject to the same prohibitions as are found in subsection 114-616(a) and in section 114-608 of this chapter.

Third Street, on the east side, from a point 150 feet north of Locust Street to a point 46 feet north thereof, loading zone.

Third Street, on the east side, from a point 223 feet north of Locust Street to Grand Avenue, no parking any time.

Third Street, on the west side, from a point 65 feet north of Locust Street to a point 20 feet north thereof, commercial loading zone.

Third Street, on the west side, from a point 230 feet north of Locust Street to Grand Avenue, no parking any time.

Sec. 114-3245. Grand Avenue--Second Avenue to Third Street.

Grand Avenue, on the south side, from Second Avenue to a point 45 feet west thereof, no parking any time.

Grand Avenue, on the south side, from a point 45 feet west of Second Avenue to a point 27 feet west thereof, is designated a handicapped loading zone, 30-minute limit, and is subject to the same prohibitions as are found in subsection 114-616(a) and section 114-608 of this chapter.

Grand Avenue, on the south side, from a point 72 feet west of Second Avenue to a point 114 feet west thereof, loading zone.

Grand Avenue, on the south side, from a point 186 feet west of Second Avenue to Third Street, no parking any time.

Grand Avenue, on the north side, from Second Avenue to Third Street, no parking 7:00 a.m. to 9:00 a.m.

Grand Avenue, on the north side, from Second Avenue to Third Street, no parking 4:00 p.m. to 6:00 p.m.

Sec. 114-3247. Grand Avenue--Fourth Street to Fifth Avenue.

Grand Avenue, on the south side, from Fourth Street to a point 100 feet east of Fifth Avenue, no parking any time.

Grand Avenue, on the south side, from Fifth Avenue to a point 65 feet east thereof, loading zone.

Grand Avenue, on the south side, from a point 65 feet east of Fifth Avenue to a point 35 feet east thereof, handicapped loading zone, 30-minute limit, subject to the special identification device and use restrictions found in subsection 114-616(a) of this chapter.

Grand Avenue, on the north side, from Fourth Street to Fifth Avenue, no parking 7:00 a.m. to 9:00 a.m.

Grand Avenue, on the north side, from Fourth Street to Fifth Avenue, no parking 4:00 p.m. to 6:00 p.m.

Grand Avenue, on the north side, from Fifth Avenue to a point 50 feet east thereof, commercial loading zone.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

K. Massier
Katharine Massier
Assistant City Attorney