

1                                   **COMMON COUNCIL OF THE CITY OF HOBART, INDIANA**  
2                                   **Ordinance No. 2014-24**

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4                   **An Ordinance Abolishing the Establishment of Handicapped Parking Spaces in**  
5                   **Residential Districts of the City and Authorizing their Removal**  
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7                   WHEREAS, the Common Council (“Council”) of the City of Hobart, Indiana (“City”)  
8 has been informed that there exist a number of handicapped parking signs in residential areas of  
9 the City which were identified as such by persons residing therein without the authority of any  
10 City agency or instrumentality; and  
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12                   WHEREAS, the existence of such spaces have created confusion as to whether such  
13 parking limitations are legally enforceable, and have unduly limited parking opportunities upon  
14 the public streets and thoroughfares of the City; and  
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16                   WHEREAS, the Council desires to eliminate these unlawfully-established handicapped  
17 parking spaces in the residential areas of the City through the enactment of this Ordinance, while  
18 retaining validly established spaces for this purpose in commercial, industrial, business or  
19 institutional districts.  
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21                   THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart as  
22 follows:  
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24                   *SECTION ONE.* The Municipal Code of the City of Hobart, Indiana  
25 (“Code”), in Chapter 72 entitled “PARKING RULES” under the heading  
26 “*HANDICAPPED PARKING*”, is hereby amended, in §72.25 thereof, by striking  
27 the current definition of “*HANDICAPPED PARKING SPACE*,” and inserting  
28 the following new language in lieu thereof:  
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30                   *HANDICAPPED PARKING SPACE.* Any parking space  
31 intending to serve a multi-unit residential development of four (4)  
32 dwelling units or more, or a commercial, industrial, business or  
33 institutional structure or development and which has been  
34 established by designation, order, or direction of the City Plan  
35 Commission, Board of Public Works and Safety, or Common  
36 Council.  
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38                   *SECTION TWO.* Code Chapter 72 entitled “PARKING RULES” under  
39 the heading “*HANDICAPPED PARKING*,” is hereby amended, in §72.26  
40 thereof, entitled “*REGULATIONS*,” by adding new sub-sections (F), (G), and (H)  
41 as follows:  
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43                   (F) No person shall designate or attempt to designate, or  
44 mark or attempt to mark, any parking space upon the public streets,  
45 lands and thoroughfares of the City as reserved for use exclusively  
46 for a particular handicapped person, or for handicapped persons,

generally, in any residential district of the City.

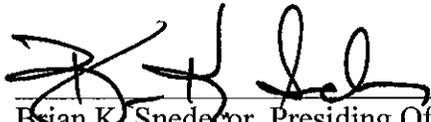
(G) Handicapped parking spaces which have been established by designation, order, or direction of the City Plan Commission, Board of Public Works and Safety, or Common Council shall be identified either by posting upon immediately adjacent thereto, and clearly visible from such space or spaces, a sign bearing the official international wheelchair symbol or facsimile thereof, or by other means of identification which the Plan Commission, Board of Public Works and Safety or City Council may prescribe.

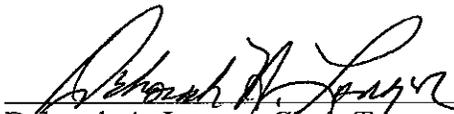
(H) From and after the taking effect of this sub-section, the City, acting by and through its Department of Public Works, except as to handicapped parking spaces serving multi-unit residential developments of four (4) dwelling units or more and which have been established previously by designation, order, or direction of the City Plan Commission, Board of Public Works and Safety, or Common Council, shall remove any sign or identifying marking attempting to establish handicapped parking spaces upon the public streets, lands and thoroughfares of the City in any residential district.

SECTION THREE. This ordinance shall become effective upon adoption in the manner required by law.

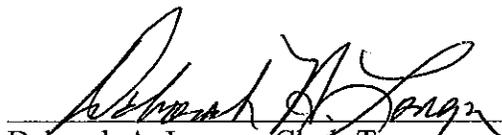
SECTION FOUR. All ordinances or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 3rd day of ~~August~~ <sup>September</sup>, 2014.

  
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Brian K. Snedecor, Presiding Officer

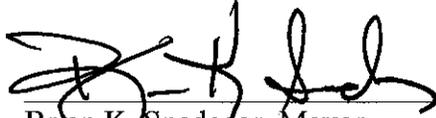
ATTEST:   
\_\_\_\_\_  
Deborah A. Longer, Clerk-Treasurer

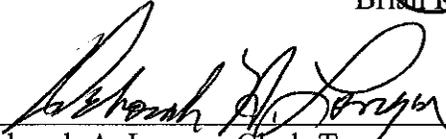
PRESENTED by me to the Mayor of the City of Hobart on the 3rd day of ~~August~~ <sup>Sept.</sup>, 2014 at the hour of 6:45 pm.

  
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Deborah A. Longer, Clerk-Treasurer

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APPROVED, EXECUTED and RETURNED by me to the Common Council of  
the City of Hobart on this 3<sup>rd</sup> day of ~~August~~ <sup>September</sup>, 2014.

  
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Brian K. Snedecor, Mayor

ATTEST:   
\_\_\_\_\_  
Deborah A. Longer, Clerk-Treasurer