

ORDINANCE NO. 707

AN ORDINANCE AMENDING ORDINANCE NO. 625 OF  
THE CITY OF MONTICELLO INCREASING THE FINE  
FOR VIOLATION OF PARKING SPACES DESIGNATED  
FOR THE DISABLED, EXPANDING THE AUTHORITY OF  
LAW ENFORCEMENT OFFICERS AND FOR OTHER PURPOSES

WHEREAS, the City of Monticello has determined that violations of the law prohibiting the use of parking spaces designated for the disabled have increased thereby increasing the need to protect the availability of such parking spaces for disabled citizens; and

WHEREAS, the City believes that it is appropriate to increase the fine for violation of the Ordinance to the maximum extent provided by Arkansas State Law; and

WHEREAS, the City further determines that it should enable the Police Department to enforce the law to the fullest extent permitted:

NOW, THEREFORE, BE IT ORDAINED by the City Council of Monticello as follows:

Section 1. Section 1 of Ordinance No. 625 is hereby amended to read as follows:

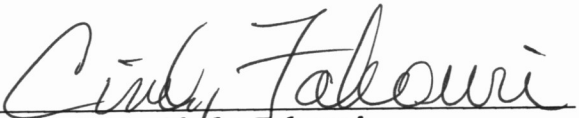
"Section I. Impoundment and fines. Any vehicle found to be parked in an area designated for the exclusive use of handicapped persons, as provided for in Act No. 907 of the Acts of 1985 (as amended by Act No. 656 of the Acts of 1991 and Act No. 1503 of the Acts of 1999) on which is not displayed a special handicapped person decal or special certificate or an official designation of another state as authorized in said Act No. 907 as amended, or which is found to be parked in areas designated for the exclusive use of handicapped persons, if operated by a person who is not a handicapped person while not being used for the actual transportation of a handicapped person shall be subject to impoundment by the Monticello Police Department or other appropriate law enforcement agency; and, in addition thereto, the owner of such vehicle shall upon conviction thereof, be subject to a fine of not less than \$100.00 nor more than \$500.00 for the first offense, and not less than \$250.00 nor more than \$1,000.00 for a second or subsequent offense, plus applicable towing, impoundment and related fees and well as court costs.

Section 2. Section 2 of Ordinance No. 625 is hereby amended to read as follows:

"Section 2. Any law enforcement officer in this City is hereby authorized to enter upon the parking spaces of any public or private agency of this City for the purpose of enforcing the provisions of this ordinance with respective accessible parking."

Section 3. Emergency Clause. Whereas there is an urgent need to improve the ability of disabled persons in the City to utilize accessible parking, therefore, an emergency is hereby declared to exist; and this Ordinance, being immediately necessary for the preservation and protection of the public peace, health, safety and welfare, shall take effect and be in force from and after its adoption.

ORDAINED ON THIS 24 DAY May, 2001.

  
Cindy Fakouri  
City Clerk-Treasurer

APPROVED ON THIS 24 DAY OF May, 2001

BY:

  
Harold D. West, Mayor