

## CHAPTER 8

### HANDICAPPED PARKING

#### SECTION

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**9-801. Definitions.** For the purpose of this chapter, the following definitions shall apply.

(a) **Handicapped Driver:** For the purposes of this chapter, a 'handicapped driver' is one who is disabled by paraplegia, amputation of leg, foot or both hands, or is disabled by loss of use of a leg, foot or both hands, or other conditions, certified by a physician duly licensed to practice medicine in Tennessee, resulting in an equal degree of disability so as not to be able to get about without great difficulty, including impairments that, regardless of cause or manifestation, confine such person to a wheelchair or cause such person to walk with difficulty or insecurity and includes, but is not limited to , those persons using braces or crutches, arthritics, spastics, and those with pulmonary or cardiac ills who may be semi-ambulatory. For the purpose of this chapter, a 'handicapped driver' shall also include the owner of a motor vehicle with vision of not more than 20/200 with correcting glasses.

(b) **Handicapped Passenger:** For the purpose of this chapter, a 'handicapped passenger' is a person who meets the requirements for handicapped drivers established in subsection (a) of this section.

(c) **Handicapped Parking Space:** For purposes of this chapter, a 'handicapped parking space' shall be a designated parking space for the exclusive use of the handicapped located on public or private property marked with a blue and white stylized wheelchair symbol or other such marking or sign provided reasonable notice of the specially designated space.

**9-802. Parking Privileges.** (a) No fee shall be exacted for parking on any street or highway or in any two (2) hour free parking space or in parking lots municipally owned or leased for vehicles properly designated under Section 9-804 or this chapter (Ord. #793, 04/02/92).

(b) Vehicles properly designated under the provisions of Section 9-804 shall have the exclusive use of those parking spaces designated as handicapped parking spaces under the provisions of Section 9-803.

(c) The parking privileges granted by this section are limited to any handicapped driver or handicapped passenger to whom the distinctive license plates or placards were issued and to qualified operators acting under the express direction of a handicapped driver or handicapped passenger.

**9-803. Handicapped Parking Spaces.** (a) Any business, firm, or other person transacting business with the public from a permanent location may provide specially marked parking spaces for the exclusive use of persons qualifying for the rights and privileges extended by this chapter.

(b) Parking spaces designated in paragraph (a) above shall be marked and maintained with the stylized wheelchair symbol as set out in the Symbol Source Book: An Authoritative Guide to International Graphic Symbols, by Henry Dreyfus, published by McGraw-Hill Publishing Company in New York; or some other approved uniform or international symbol for the disabled. Each such parking space shall be marked and maintained with the stylized wheelchair symbol and such marking may be by a sign on a pole. Nonconforming markings or signs shall be acceptable during the useful life of such markings or signs, which may not be extended by other than normal maintenance, as

long as such markings or signs provide reasonable notice of the specially marked parking space. Such designated disabled parking shall indicate that unauthorized or improperly parked vehicles may be towed and the driver fined One Hundred Dollars (\$100) and shall also provide the name and telephone number of the property owner, lessee, or agent in control of the property or the City of Paris Police Department (Ord. #883, 10/05/95).

**9-804. Handicapped Vehicles Designated.** Vehicles occupying handicapped parking spaces shall display one of the following:

(a) A license plate with the stylized wheelchair symbol pursuant to Tennessee Code Annotated, (55-21-104(a));

(b) A license plate with the handicapped veteran indication pursuant to Tennessee Code Annotated, (55-21-104(b));

(c) A blue and white placard, at least 6"x12" in size displayed on the driver's side of the dashboard pursuant to Tennessee Code Annotated, (55-21-103(b)); or

(d) A red and white flag, approximately 7-1/2"x13" displaying the stylized wheelchair symbol pursuant to Tennessee Code Annotated, (55-21-107).

**9-805. Presumption of illegal parking.** Vehicles not complying with the provisions of Section 9-804 shall be presumed to be parked illegally and shall be cited for a violation in the same manner used to enforce Title 9, Chapter 501 et seq. When any unoccupied vehicle is found parked in violation of any provisions of this chapter, there shall be prima facie presumption that the registered owner of such vehicle is responsible for such illegal parking.

**9-806. Violation of a misdemeanor.** (1) Any person, except a person who meets the requirements of this chapter, who parks in any parking space on either public or private property designated as a handicap parking space under the provisions of this chapter is guilty of a misdemeanor, punishable by a fine of One Hundred Dollars (\$100.00).

(2) In addition to the fine imposed, a vehicle which does not display a disabled license plate or placard and which is parked in any parking space designated as a handicapped space is subject to being towed. When a vehicle has been towed or removed pursuant to this chapter, it shall be released to its owner, or person in lawful possession, upon demand; provided that such person making demand for return pays all reasonable towing and storage charges and that such demand is made during the operating hours of the towing company.

(3) It is also a violation of this chapter for any person to park a motor vehicle so that a portion of such vehicle encroaches into a handicap parking space in a manner which restricts, or reasonably could restrict, a person confined to a wheelchair from exiting or entering a motor vehicle properly parked within such handicap parking space (Ord. #884, 10/05/95).