

ORDINANCE #161

FIRST READING - April 12, 2005
 SECOND READING -

**AUTHORIZING THE SHERIFF'S OFFICE OF LACKAWANNA COUNTY TO ENFORCE
 HANDICAPPED PARKING RESTRICTIONS ON LACKAWANNA COUNTY LAND AND LAND OF
 LACKAWANNA COUNTY AUTHORITIES.**

WHEREAS, the County Commissioners of the County, after due consideration of the public welfare and with full legal competence pursuant to its enabling legislation, has determined to undertake the action described herein; and

WHEREAS, the County Commissioners of the County desire to have the Sheriff's Office of Lackawanna County enforce designated handicapped parking areas on land of the County and on land of County authorities.

NOW, THEREFORE, BE IT, AND IT HEREBY IS, ENACTED by the affirmative vote of a majority of all members of the County Commissioners of the County as follows:

SECTION 1. Handicapped parking areas.

No person shall park a motor vehicle in a space upon any area of land owned or leased by Lackawanna County, or land owned or leased by any municipal authority formed by Lackawanna County, which displays a sign showing said space is for the use of handicapped parking, except as provided herein. Said handicapped parking areas are exclusively restricted to individuals who are handicapped and whose license plate so indicates or also who properly displays a temporary handicap placard.

SECTION 2. Penalties for violation.

- (1) Whoever violates any of the provisions of this ordinance shall be fined fifty dollars (\$50.00) for each offense, said fine payable to the County Treasurer.
- (2) The signs designating the parking spaces for the use of handicapped parking will also indicate the cost of the fine.
- (3) Each four (4) hour period of improperly parking in a handicapped parking area shall be considered a separate offense.
- (4) In case of nonpayment of such fine, the person so violating the provisions in this ordinance shall be issued a citation/summons within 45 days of the identification of the violator.
- (5) The appropriate Magisterial District Justice is hereby authorized to charge their proper fees to the violators of this ordinance. All fees authorized by this ordinance shall be paid directly to the Magisterial District Justice Office.

SECTION 3. Lackawanna County Sheriff to enforce regulations.

The Sheriff's Office of Lackawanna County shall have the power to enforce the regulations in this ordinance concerning handicapped parking zones.

SECTION 4: Effective date.

This Ordinance shall be effective for all purposes upon the last to occur of: (a) seven days following the publication of the notice required by Section 1.3-311 of the Lackawanna County Home Rule Charter; and (b) ten days after the date hereof.

DULY ADOPTED by the County Commissioners of Lackawanna County, in lawful session assembled on _____, 2005.