ORDINANCE NO. 2022-10

AN ORDINANCE AUTHORIZING THE DESIGNATION AND MARKING OF HANDICAP ONLY PARKING ONLY SPACES, PROHIBITING UNAUTHORIZED PARKING IN SUCH SPACES, DECLARING VIOLATIONS TO BE MISDEMEANORS AND PROVIDING A METHOD FOR CHARGING AND PUNISHMENT OF VIOLATIONS BY DIRECTIVE OF THE MAYOR

BE IT ORDAINED by the Town Council of the Town of Trinity, Alabama, as follows:

SECTION 1.

a. The Police Chief, or the Mayor or his or her designee, are hereby authorized to designate and mark spaces for the exclusive parking of motor vehicles by persons whose vehicles display a lawfully and officially issued "Handicap" license plate or "Handicap" placard, i.e., for handi-cap only parking.

b. Private property owners are hereby also authorized to designate and mark spaces on the property of such property owners for the exclusive parking of motor vehicles by persons whose vehicles display a lawfully and officially issued "Handicap" license plate or placard, i.e., for handi-cap only parking.

SECTION 2. It shall be unlawful and a misdemeanor for any person to park a motor vehicle in any space clearly marked for handicap-only parking unless the motor vehicle properly and plainly displays a lawfully issued and current "Handicap" license plate or "Handicap" placard.

SECTION 3. Because Rule 19(b) of the *Alabama Rules of Judicial Administration* mandates that parking violations be handled administratively by municipalities, the methods of charging violations, the methods of processing violations and the punishments for

same shall be as directed in writing from time to time by the Mayor.

SECTION 4. The provisions of Section 32-5-152, *Code of Alabama, 1975*, and as amended from time to time, are hereby adopted and the presumptions set forth therein with regard to the identify of the person parking a motor vehicle in a handicap-only space shall apply to all cases involving violations of this ordinance.

SECTION 5. This Ordinance shall be effective immediately upon its adoption and publication according to law.

ADOPTED and **APPROVED** this 14 day of November, 2022.

Vaughn Goodwin, Mayor

ATTEST:

(SEAL)

Barbara L. Jones, Town Clerk

Barbara L. Jones
Notary Public, Alabama State at Large
My Commission Expires April 8, 2025

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TOWN OF TRINITY, ALABAMA

OFFICE OF MAYOR

EXECUTIVE DIRECTIVE ORDER NO. 2022-1

WHEREAS, Rule 19(B) of the *Alabama Rules of Judicial Administration* mandate that parking violations be handled administratively by municipalities; and

WHEREAS, the Town Council of the Town of Trinity has adopted an ordinance prohibiting the parking of certain vehicles in spaces clearly designated for handicap-only parking.

NOW, THEREFORE, as Chief Administrative Officer of the Town of Trinity, Alabama, I, the undersigned, hereby direct as follows:

1. Violators of the Ordinance of the Town of Trinity prohibiting unlawful parking in handicap-only parking spaces shall be issued citations via the Town of Trinity Police Department's parking ticket form. If the violation is known to be a first or second violation the form shall authorize payment without a court appearance. If the violation is known to be a third or subsequent violation the citation shall indicate that a court appearance is required and shall designate a date and time for such court appearance.

2. The punishment for a first offense under the Handicap Parking Ordinance (handicap parking violations) shall be $100.00 for the first offense with a 5 year period; $250.00 for second violations within a 5 year period; and $250.00 to $500.00 and not less than 24 hours and not more than 10 days in jail for third or subsequent offenses within a 5 year period. All third and subsequent handicap parking violations shall require a court appearance per the Town's Handicap Parking Ordinance.

3. This directive shall be effective immediately.

Dated this 14 day of November, 2022.

Vaughn Goodwin

Mayor Vaughn Goodwin

ATTEST:

(Seal)

Barbara L. Jones

Barbara L. Jones, Town Clerk

Barbara L. Jones
Notary Public, Alabama State at Large
My Commission Expires April 8, 2025