

ORDINANCE 23-21

**TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED
“VEHICLES AND TRAFFIC” - Re: Amending Section 15.32.150 to Remove the Four
Hour Time Limit on All Accessible Spaces**

WHEREAS, the City of Bloomington (“City”) adopted Ordinance 15-08 (“the Ordinance”) on April 9, 2015, which amended Bloomington Municipal Code (BMC) Section 15.32.150 to limit parking in accessible parking spaces located in two-hour zones, on-street metered areas, and city parking lots to four hours; and

WHEREAS, the majority of City parking spots located downtown are metered without a time limit, but the accessible parking spots retain the four-hour limit outlined in the Ordinance; and

WHEREAS, Title II of the Americans with Disabilities Act states that “no qualified individual with a disability shall by reason of such disability be excluded from participation in or denied benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by such an entity” (42 U.S.C. § 12132); and

WHEREAS, it is the policy of the City that it does not discriminate on the basis of disability, as stated clearly in Bloomington Municipal Code 2.21.020; and

WHEREAS, to effectuate said policy, the City wishes to amend the municipal code to include a time limit on accessible parking spaces only in parking lots or zones that impose time limits on non-accessible spaces, and to remove time limits on accessible parking spaces in parking lots or zones that do not otherwise impose time limits; and

WHEREAS, the Parking Commission voted to approve this amendment at its meeting on August 24, 2023;

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA THAT:

SECTION 1: Section 15.32.150, entitled “Accessible parking for persons with physical disabilities”, shall be amended by deleting the sentence, “All accessible parking spaces within the two-hour limit parking zones, on-street metered areas, and city parking lots shall be limited to four hours.” and replacing it with the following:

All accessible parking spaces within a time-limited parking zone or lot shall be limited to two hours beyond the zone or lot’s stated time. All accessible parking spaces located within a metered parking zone or lot without time limits shall also be metered and without time limits.

SECTION 2: If any section, sentence or provision of this ordinance, or application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions or application of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 3: This ordinance shall be in effect after its passage by the Common Council and approval of the Mayor, any required publication, and, as necessary, other promulgation in accordance with the law.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 13 day of September, 2023.



SUE SGAMBELLURI, President
Bloomington Common Council

ATTEST:



NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 15 day of September, 2023.



NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 18th day of September, 2023.


JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance approves changes to Bloomington Municipal Code Section 15.32.150 in order to include a time limit on accessible parking spaces only in parking lots or zones that impose time limits on non-accessible spaces, and to remove time limits on accessible parking spaces in parking lots or zones that do not otherwise impose time limits.

Distributed to: Clerk, Council Attorney, Legal, Mayor, Parking Services, and Public Works.