



**CITY OF BLOOMINGTON
STAFF REPORT**

Date: 8/24/2023
PC 23-03

TO: City Council
FROM: Audrey Brittingham, Legal Department
DATE: September 6, 2023
**SUBJECT: Proposed Ordinance Update to Section 15.32.150,
entitled, “Accessible parking for persons with physical disabilities.”**

Background

City of Bloomington Ordinance 15.32.150 limits parking in accessible parking spaces located in two-hour zones, on-street metered areas, and city parking lots to four hours. When this ordinance was enacted, the majority of City parking spots were two-hour parking spots. In 2013, most parking spots became metered and without a time limit. However, the accessible parking spaces became metered and still retained the four-hour limit outlined in the Ordinance. Citizens parking in these accessible parking spaces are treated differently from citizens parking in non-accessible parking spaces, an unintentional outcome of the shift from two-hour parking to metered parking.

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);

It is the policy of the City that it does not discriminate on the basis of disability, as stated clearly in City Ordinance 2.21.020. To effectuate the City’s policy of non-discrimination, the City wishes to amend the Ordinance 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.

Title 15 Change

Section 15.32.150, entitled “Accessible parking for persons with physical disabilities,”

shall be amended by deleting and adding the following:

Delete

All accessible parking spaces located within the two-hour limit parking zones, on-street metered areas, and city parking lots shall be limited to four hours.

Add

All accessible parking spaces located within a time-limited parking zone or lot shall allow up to an additional 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.

RESPECTFULLY SUBMITTED,

Audrey R. Brittingham
Assistant City Attorney