

MEMO FROM COUNCIL OFFICE ON:

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

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.

Relevant Materials

- Ordinance 23-21
- Redline – Section 15.32.150 as Modified by Proposed Ordinance 23-21
- Staff Report from Audrey Brittingham, Assistant City Attorney

Summary

Ordinance 23-21 would amend Bloomington Municipal Code (BMC) Section [15.32.150](#) to regulate accessible parking spaces similar to non-accessible spaces with respect to overall time limits on those spaces. The administration is bringing these changes to align City parking regulations with the City policy prohibiting discrimination on the basis of disability (BMC [2.21.020](#)) and with the [Americans with Disabilities Act](#) (ADA).

As currently written, BMC 15.32.150 limits parking in all accessible spaces, including within two-hour parking zones, metered spaces, and city lots, to a total of four hours. As the staff memo notes, that time limit was in effect due to the majority of downtown parking being limited to two-hour zones before the installation of metered spots.

Now, because the majority of downtown on-street parking consists of metered spaces with no time limit, this amended section would remove the overall time limit for accessible spaces in metered zones. This would allow accessible spaces in metered zones to be treated the same as non-accessible spaces in metered zones that do not have an overall time limit.

A brief history of Title 15 to more fully explain why this change is needed:

The original repeal and replacement of Title 15, through [Ordinance 82-1](#), created BMC 15.32.150. The language in subsection (a) originally stated: “A number of parking spaces on public streets shall be reserved for use by physically handicapped persons. Parking time limits, fees and other regulations in this title generally in effect for spaces in adjacent areas shall apply as well to those spaces for parking by handicapped persons.” This original language treats accessible spaces similarly to non-accessible spaces for purposes of ADA compliance.

This language was not changed until [Ordinance 92-26](#) created the first version of the overall time limit on accessible spaces: “** All handicapped parking spaces within the 2 hour limit parking zones shall be limited to 4 hours.” Because all downtown on-street parking spaces back in 1992 had a two-hour limit, imposing a four-hour overall limit on accessible spaces did not treat accessible spaces any worse than non-accessible ones.

Once [metered parking spaces were installed](#) in the late summer of 2013, non-accessible metered spaces no longer had an overall time limit – but accessible spaces in metered zones still did. [Ordinance 15-08](#) sought to replace the schedule of accessible spaces and, at the very bottom, included an amended overall time limit for accessible spaces in not just two hour zones but also metered spaces and city lots: “All handicapped parking spaces within the two-hour limit parking zones, on-street metered areas, and City parking lots shall be limited to four hours.”

The most recent change to BMC 15.32.150 came in [Ordinance 18-26](#), which deleted and replaced it with its current form. The only difference between the two most recent ordinances with regard to the language affecting the overall time limit on parking in accessible spots is the word “handicapped.” The overall time limit that remains within code is a vestigial remnant of when downtown parking was all two-hour parking. Because it treats accessible spaces in metered zones worse than non-accessible spaces in the same zones, the City has not enforced the overall four-hour limit on accessible spaces. The administration now seeks to codify this practice.

The administration has stated it expects a very minimal fiscal impact, if any, as a result of this ordinance.

Contact

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