

**ORDINANCE 14-13**

**AN ORDINANCE AMENDING TITLE 15, CHAPTER 7 OF THE SPRING HILL MUNICIPAL CODE TO ESTABLISH A FINE FOR UNAUTHORIZED PARKING IN A SPACE DESIGNATED FOR HANDICAP PARKING ONLY**

**WHEREAS**, the Board of Mayor and Aldermen of the City of Spring Hill, desiring that the ends of justice be met, wish to establish a fine for unauthorized parking in handicap parking spaces within the City:

**NOW THEREFORE,**

**SECTION I. BE IT ORDAINED** by the Board of Mayor and Aldermen of the City of Spring Hill that Title 15, Chapter 5 of the Spring Hill Municipal Code be amended to add a subsection (3), which shall read as follows:

15-705

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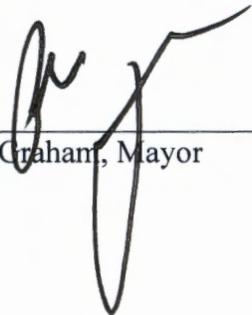
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- (3) The fine for unauthorized parking in a space designated for handicap parking only will be fifty dollars (\$50.00), as permitted by T.C.A. §55-21-108(b) and T.C.A. §55-8-160(a)(15).

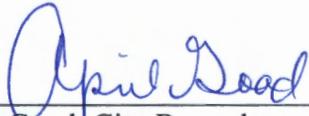
**SECTION II. BE IT FURTHER ORDAINED** by the Board of Mayor and Aldermen of the City of Spring Hill that if any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to that end the provisions of this ordinance are declared to be severable.

**SECTION III. BE IT FINALLY ORDAINED** by the Board of Mayor and Aldermen of the City of Spring Hill that this ordinance shall take effect on July 1, 2014, the health, safety and welfare of the citizens of Spring Hill requiring it.

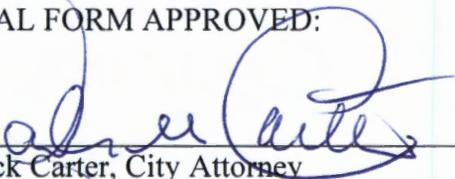
Passed and adopted this 19<sup>th</sup> day of May, 2014.

  
\_\_\_\_\_  
Rick Graham, Mayor

ATTEST:

  
\_\_\_\_\_  
April Goad, City Recorder

LEGAL FORM APPROVED:

  
\_\_\_\_\_  
Patrick Carter, City Attorney

Passed on First Reading: April 21, 2014

Passed on Second Reading: May 19, 2014



**REQUEST:** Approval of Ordinance 14-13

**SUBMITTED BY:** Victor Lay, City Administrator  
City Staff, Department and Title

**DATE:** April 11, 2014

**RE:** Fine for Unauthorized Parking in a space designated for Handicap Parking Only, as allowed by law.

**ATTACHMENTS:** Description of any attachments

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**PURPOSE:**

The purpose of this ordinance is to discourage unauthorized parking in spaces designated for "Handicap Parking Only", and to establish the maximum fine in City Court for this offense.

**BACKGROUND:**

Our current City Code 15-706 authorizes a fine of \$25.00 for the first offense of all parking violations, and a fine of \$50.00 for the second and subsequent offenses, with no special or enhanced fine for those persons who park, unauthorized, in a Handicap Only parking space.

State law permits our City to fine an offender \$50 for this offense, which would serve as a greater deterrent.

*(State law reference: T.C.A. §55-21-108(b); T.C.A. §55-8-160(a)(15); T.C.A. §16-18-302  
Spring Hill Municipal Code reference: 15-705)*

**FINANCIAL IMPACT:**

The Sleuth law enforcement/court integration system just went online last year (and, therefore, it is difficult to ascertain prior years' statistics). The current fiscal year's statistics reveal the following:

19 Handicap parking violations x a fine due of \$51.00 per violation =  
\$969.00 collected to date this fiscal year.



If the proposed ordinance had been in place, the revenue generation would have been as follows:

19 violations x 138.75 in fine and court costs would have yielded  
\$2,636.25 to date.

While this change will not generate a great deal of revenue from the Court, it is likely to have a deterrent effect on those few who are guilty of unauthorized parking in Handicap spaces.

**STAFF RECOMMENDATION:**

Favorable

**ACTION REQUIRED (INCLUDE DEADLINE /PRIORITY):**

This will take 2 readings (months) to adopt.