

**CITY OF BELLEVUE**

**ORDINANCE 2004-11-02**

**AN ORDINANCE AMENDING CHAPTER 72 OF  
THE BELLEVUE CODE OF ORDINANCES  
RELATING TO THE PROVISIONS OF DISABLED  
ON-STREET PARKING SPACES.**

**WHEREAS**, Chapter 72 of the City of Bellevue Code of Ordinances permits the establishment of disabled on-street parking spaces for persons meeting certain criteria; and

**WHEREAS**, the Bellevue city council has determined that the criteria and procedures for the approval of disabled on-street parking should be amended; and

**NOW, THEREFORE, BE IT ORDAINED THAT:**

**SECTION 1**

Chapter 72.66 of the City of Bellevue Code of Ordinances shall be amended as follows:

§ 72.66 APPLICATION; REQUIREMENTS.

(A) Disabled persons may make application with the city administrative officer or his designee for a disabled on-street parking space. A disabled on-street parking space may be issued if the city administrative officer or his designee finds that:

- 1) local ordinance or state statutes do not prohibit parking on the street;
  - (a) Notwithstanding the above, a disabled on-street parking space may be designated in front of a driveway area when the driveway is no longer used as a driveway by the applicant.
- 2) the applicant resides at the given address on a permanent basis;
- 3) the applicant has submitted documentation completed by a licensed physician certifying that the applicant is a person who:
  - (a) Cannot walk two hundred (200) feet without stopping to rest;
  - (b) Cannot walk without the use of or assistance from a brace, cane crutch, another person, prosthetic device, wheelchair or other assisting device;
  - (c) Is restricted by lung disease to the extent that the person's forced respiratory and expiratory volume for one (1) second, when measured by spirometry is less than one (1) liter, or the arterial oxygen tension is less than sixty (60) mm/hg on room air at rest;
  - (d) Uses portable oxygen;

- (e) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association; or
- (f) Is severely limited to their ability to walk due to an arthritic neurological or orthopedic condition;

4) the applicant does not have adequate off-street parking for one (1) vehicle;

(a) For purposes of this ordinance, "adequate off-street parking" means parking sufficient to allow the applicant reasonable ingress and egress to and from the applicant's vehicle from its parked location to the applicant's residence in consideration of the physical structure of the area where the vehicle is parked.

5) there is no existing disabled on-street parking space approved at the applicant's address;

6) a car is registered at the applicant's address; and

7) a licensed driver resides at the applicant's address.

8) the address at which the applicant is seeking a disabled on-street parking space is located within or fronting a residential zoning district.

(B) All designations of disabled on-street parking spaces shall expire annually on June 30, and may be renewed annually thereafter by written request and approval of the city administrative officer or his designee.

(C) The applicant or his agent is responsible for notifying the city administrative officer or his designee of any change in the applicant's residency, the termination of the need for the space if the need no longer exists or any other changes in the applicant's status or health that would disqualify applicant for a disabled on-street parking space.

(D) The applicant shall submit a fee of fifty dollars (\$50) upon completion of the initial application, including temporary disabled on-street parking spaces. Disabled on-street parking spaces renewed through the city's annual renewal process shall not be assessed a fee. Individuals who cannot afford the fee may sign a sworn affidavit affirming that they are financially unable to pay the fee. Upon signing such affidavit, the fee may be waived by the city administrative officer.

(E) The city administrative officer or his designee shall render a decision to approve or deny an application for a disabled on-street parking space within 30 days of the date that the application is submitted.

~~(E)~~ (F) The mayor shall appoint a hearing officer who will have the power to conduct hearings relating to grievances concerning the issuance or denial of on-street disabled parking permits. An aggrieved applicant desiring to file an appeal of the city administrative officer's decision shall have 30 days to file an appeal to the hearing officer. The hearing officer shall schedule a hearing within 60 days of the date that the

appeal is filed and he shall render a decision within 14 days of the date of the hearing. The decision of the hearing officer shall be final. Any appeal from the hearing officer by any interested party shall be made to a court of competent jurisdiction within 30 days of the hearing officer's decision.

**SECTION 2**

This ordinance shall become effective upon passage, approval and publication according to law.

ATTEST:

\_\_\_\_\_  
John D. Meyer, Mayor

\_\_\_\_\_  
Mary H. Scott, City Clerk

1<sup>st</sup> Reading: \_\_\_\_\_

2<sup>nd</sup> Reading: \_\_\_\_\_

Publication: \_\_\_\_\_