

Park Wisely

Written by Administrator

Wednesday, 13 August 2014 12:09



By KERRY CRAIG News-Telegram Staff Writer kerry@ssecho.com We see them in almost every parking lot — those spaces with the blue signs and markings on the pavement with a symbol of a person in a wheelchair. And we know they are reserved for those with a medically diagnosed handicap that have either the state-issued handicap license plates or the placard that hangs from the rear-view mirror. But how about that person that is in a rush to run inside a business for just a second and there is an empty parking space reserved for the handicapped? It just might be the most expensive quick trip into a store a person could ever make. To try to enforce the handicapped parking rules, Sulphur Springs Police Department makes a special effort. “We actually have a team that comes in on a voluntary basis,” said SSPD Chief Jay Sanders. “They work sometimes once a week or a couple times a week and they will go out and that’s all they do — work handicap violations.” These parking spaces are required by the Americans with Disabilities Act just as the placards and markings for those parking spaces enable those disabled people easier access to stores, restaurants and, in many cases, the places they live. The volunteer team, when they find a violation, will issue a citation and take a picture of the offending vehicle in the parking place. The ticket will be left under the windshield wiper. “The original goes under the wiper,” Sanders said. “The volunteer brings the copy to the police department with the picture, and we send that over to the court. The court handles it from there.” Once the ticket gets to the city’s municipal court, parking in a handicapped parking place without the license plate or placard becomes very expensive, according to City Attorney Jim McLeroy, who also serves as prosecutor. “The minimum fine is \$500 and the maximum fine is \$750 plus court costs that, typically, are \$99 on those tickets,” McLeroy said. “The second offense, if it’s proven you’ve been previously convicted of the same offense, the minimum fine goes up to \$550. So, it’s an expensive ticket to get.” There, too, is another side to the handicapped parking space reservations. They must have the correct sign posted the correct way and the pavement must also be marked in order for the rules to be properly enforced. “For us, we see it a lot more in different parking lots,” Sanders said. “We see it a lot more at Walmart than we do at Brookshire’s. We see it a lot more on the Spring Village parking lot than we do at Walmart.” Sanders said years ago, a lot of citations were issued for parking in these reserved spaces without the placard or license plate but, times and things have changed. “Spring Village, we used to write a lot of tickets on Spring Village,” Chief Sanders said. “Now, the handicapped spots are so unreadable that it is very difficult for us to enforce. They need to be fixed and, of course, that’s the property owner. He’s in charge of making sure that he complies with his ADA regulations.” Sanders said the majority of the complaints the police department receives are about the Walmart parking lot. “Obviously, there are more cars at Walmart than any other place in town,” he said. “You’ve got more traffic there than anywhere else in town. “Very seldom do

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we ever have any at Brookshire's, very seldom," Sanders continued. "We get a few calls occasionally at Lowe's, but, they are very well marked, too." Without the proper signs and marking, enforcement is very difficult if not impossible, according to the city attorney. "You have to have a placard on a sign and you also have to have a marking on the pavement," the attorney explained. "If you don't mark your handicapped places marked correctly, I can't prosecute the ticket. I can't convict somebody of an offense if, in fact, the elements of the offense, and that element is if they were parked illegally in a handicapped space — if it's not properly marked. I can't prove that case and we would have to dismiss it."