

FILED

DEC 07 2011

CITY CLERK

GENERAL ORDINANCE NO. 21, 2011

AN ORDINANCE AMENDING *TERRE HAUTE CITY CODE*, CHAPTER 7, BUILDING & CONSTRUCTION REGULATIONS, ARTICLE 1, SEC. 7-6 AND CHAPTER 10, SEC. 10-137 OFF-STREET PARKING AND LOADING REQUIREMENTS.

WHEREAS, the Common Council for the City of Terre Haute desires to update its *Terre Haute City Code* to bring said document into compliance with certain guidelines of the Americans with Disabilities Act (hereinafter "ADA").

WHEREAS, the Federal Government has developed a "Best Practices on Transition Plan Development" as a guideline for local governments. Such plan requires the City to appoint an ADA Coordinator, to adopt an ADA grievance procedure, develop a traffic and pedestrian generator map, and to adopt certain standards.

WHEREAS, the City has appointed an ADA Coordinator. The Board of Public Works & Safety has adopted the ADA grievance procedure. The City Engineering Office has developed the required map.

THEREFORE, BE IT ORDAINED by the Common Council for the City of Terre Haute as follows:

SECTION 1. The *Terre Haute City Code*, Chapter 7, Article 1, Section 7-6 is hereby amended by insertion of the underlined text as follows:

Sec. 7-6 Minimum Standards for Structures and Building Equipment Not Regulated by Administrative Building Council.

a. Building rules of the state fire prevention and building safety commission as set out in the following articles of Title 675 of the *Indiana Administrative Code* are hereby incorporated by reference in this Chapter and shall include later amendments to those articles as the same are published in the *Indiana Register* or the *Indiana Administrative Code* with effective dates as fixed therein:

...

(8) Accessibility Codes.

- a. Americans with Disability Act Standards for Accessible Design; and
- b. Guidelines for Accessible Public Rights-of-Way.

SECTION 2. The *Terre Haute City Code*, Chapter 10, Sec. 10-137 is hereby amended by insertion of the underlined text as follows:

Sec. 10-137 Off-Street Parking and Loading Requirements.

...

- g. Required Number of Off-Street Parking Spaces.

...

(5) In the event a specific use is not listed in Table 4, the planning staff shall determine the number of spaces required. In making the determination, the planning staff shall consider the following criteria:

- (A) The number of parking spaces required for a use listed in Table 4 that is the most similar to the proposed use in terms of the parked motor vehicles that are anticipated to be generated;
- (B) The square footage to be occupied by the proposed use; and
- (C) The number of employees and patrons that are anticipated for the proposed use.
- (D) Handicapped Accessible Parking shall be provided subject to Sec.10-137 h. of this Section and to the requirements of the Americans with Disabilities Act (ADA) of 1990, and the Americans with Disability Act Standards for Accessible Design, as may be amended from time to time. (Gen. Ord. No. 18, 2004, As Amended, 11-9-04)

h. Parking Accessible for the Disabled.

(1) General Requirements: Any parking area to be used by employees or visitors shall provide parking spaces and associated access aisles designated, marked, and located to adequately accommodate the disabled. Accessible spaces shall be provided in sufficient numbers and to the specifications of the Americans with Disabilities Act (ADA) and the Indiana Building Code (IBC) and the Americans with Disabilities Act Standards for Accessible Design, each as may be amended from time to time. Each accessible or van accessible parking space shall be located adjacent to an access aisle and in close proximity to the entrance(s) most accessible for the disabled.

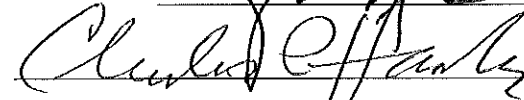
SECTION 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

WHEREAS, an emergency exists for the immediate taking effect of the Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, Indiana and its approval by the Mayor and publication as required by law.

Introduced by:  George Azar, Councilman

Passed in open Council this 28th day of December, 2011.

, _____, President

ATTEST:  Charles P. Hanley, City Clerk

Presented by me to the Mayor this 29th day of December, 2011.

Charles P. Hanley Charles P. Hanley, City Clerk

Approved by me, the Mayor, this 29th day of DECEMBER, 2011.

Duke A. Bennett Duke A. Bennett, Mayor

ATTEST: Charles P. Hanley Charles P. Hanley, City Clerk