

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2016-13

3 INTRODUCED BY:

4 AN ORDINANCE

5
6 AMENDING SUBSECTION 12-9-3.9 OF THE UNIFORM TRAFFIC
7 ORDINANCE RELATING TO ADA ACCESSIBLE PARKING VIOLATIONS
8 REQUIRING A MANDATORY COURT APPEARANCE.

9
10 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

11 Section 1. Subsection 12-9-3.9 of the Uniform Traffic Ordinance (being Ord.
12 #2011-4 (as amended)) is amended to read:

13 12-9-3.9 PARKING IN DESIGNATED ADA ACCESSIBLE PARKING
14 SPACES.

15 A. It is unlawful for any person to park a motor vehicle not carrying registration
16 plates or a placard indicating disability in accordance with Section 66-3-16 NMSA 1978 and
17 Section 3-51-46 NMSA 1978 in a designated accessible parking space for persons with
18 significant mobility limitation or in such a manner as to block access to any part of a curb cut
19 designed for access by persons with significant mobility limitations. Any person who violates
20 this section shall be subject to a fine of not less than two hundred fifty dollars (\$250) or more
21 than five hundred dollars (\$500). Failure to properly display a parking placard or special
22 registration plate issued pursuant to Section 66-3-16 NMSA 1978 is not a defense against a
23 charge of violation of Subsection A of this section (66-7-352.5 NMSA 1978)

24 B. It is unlawful for any person to stand or stop a motor vehicle not carrying
25 registration plates or a placard indicating disability in accordance with Section 66-3-16 NMSA

1 1978 and Section 3-51-46 NMSA 1978 in a designated accessible parking space for persons with
2 significant mobility limitation. Any person who violates this section shall be subject to a fine of
3 not less than two hundred fifty dollars (\$250) or more than five hundred dollars (\$500). Failure to
4 properly display a parking placard or special registration plate issued pursuant to Section 66-3-16
5 NMSA 1978 is not a defense against a charge of violation of Subsection A of this section (66-7-
6 352.5 NMSA 1978).

7 C. It is unlawful for any person to use a designated accessible parking space for
8 persons with significant mobility limitation for the purpose of receiving or discharging passengers
9 or for loading or unloading if the vehicle receiving or discharging the passengers or loading or
10 unloading does not carry registration plates or a placard indicating disability in accordance with
11 Section 66-3-16 NMSA 1978 and Section 3-51-46 NMSA 1978. Any person who violates this
12 section shall be subject to a fine of not less than two hundred fifty dollars (\$250) or more than
13 five hundred dollars (\$500). Failure to properly display a parking placard or special registration
14 plate issued pursuant to Section 66-3-16 NMSA 1978 is not a defense against a charge of
15 violation of Subsection A of this section (66-7-352.5 NMSA 1978).

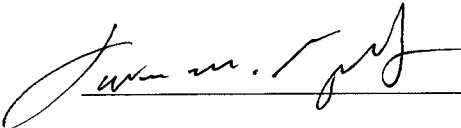
16 D. As used in this section, "designated accessible parking space" means any space
17 including an access aisle, marked and reserved for the parking of a vehicle that carries registration
18 plates or a parking placard indicating disability in accordance with Section 66-3-16 NMSA 1978
19 and Section 3-51-46 NMSA 1978, and designated by a conspicuously posted sign bearing the
20 international symbol of accessibility and if paved, by a clearly visible depiction of this symbol
21 painted white on blue on the pavement of the space, except where the total number of parking
22 spaces is four or less. Temporary accessible parking spaces may be designated by a blue hood
23 labeled as accessible parking or in such other manner as to clearly indicate the space is for
24 accessible parking only. "Curb cut" means a short ramp through a curb or built up to the curb
25 designed for access by persons with disabilities. (66-7-352.5 NMSA 1978).

1 E. Any vehicle parked in violation of Subsections A, B or C of this section is
2 subject to being towed at the expense of the vehicle owner upon authorization by law
3 enforcement personnel or by the property owner or parking division director.

4 F. State, county and municipal law enforcement personnel, including city of Santa
5 Fe parking enforcement officers, have the authority to issue citations for violations of §12-9-3.9
6 in their respective jurisdictions, whether the violation occurs on public property or private
7 property (Section 3-51-46 NMSA 1978).

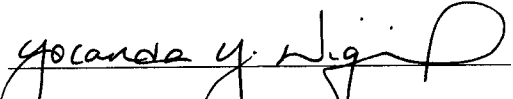
8 G. A law enforcement officer may issue a citation or authorize towing of a vehicle
9 for a violation of Section A of this section regardless of the presence of the driver (66-7-352.5
10 NMSA 1978).

11 PASSED, APPROVED AND ADOPTED this 30th day of March, 2016.

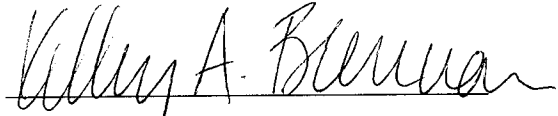
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15 JAVIER M. GONZALES, MAYOR

16 ATTEST:

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18 
19 YOLANDA Y. VIGIL, CITY CLERK

20 APPROVED AS TO FORM:

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22
23 KELLEY A. BRENNAN, CITY ATTORNEY