City of Des Moines
Handicapped Parking Guidelines

Definition:

**Handicapped** - Having a physical disability that substantially limits activity especially, in this context, in relation to physical mobility.

**Handicapped Parking Space** – A public or privately owned parking space, signed in accordance with local ordinances (includes Federal ADA & State of Iowa requirements) which limits the use of that parking area to those vehicles which prominently display a handicapped parking identification tag or license plate issued by the state of registration of the vehicle.

**Handicapped Parking Identification Tag or License Plate:** A placard or vehicle license registration plate issued by one of the various states (including states of the United States, Canada, Mexico or any other recognized country) and who are authorized, under their vehicle registration laws, to register vehicles and/or placards for use by individuals with limited physical capabilities and for identification of that vehicle as being used by someone with limited physical capabilities of a serious enough nature to meet the guidelines established by the issuing authority.

**Handicapped Parking Policy Statement**
The City of Des Moines strives to meet the need of citizens with limited physical capabilities. In doing so we are obliged to set minimum standards for parking areas so that the needs of individuals with valid physical impairments can be met and not be in direct conflict with nor create conflict with the general public's need for parking.

**Handicapped Parking Guidelines**
In setting these minimum guidelines the City of Des Moines recognizes four areas of concern:

1) On-Street public parking areas within the area defined as the Central Business District,
2) Public parking facilities owned by the City of Des Moines,
3) Off-Street public parking areas owned by the City of Des Moines and
4) On-Street public parking areas outside of the area defined as the Central Business District but within the corporate limits of the City of Des Moines.

1) On-Street public parking areas within the area defined as the Central Business District:
The City of Des Moines complies with Federal and State of Iowa requirements regarding the number of dedicated parking spaces, within the Central Business District specifically marked for handicapped parking. The City of Des Moines also recognizes that we cannot always meet the needs of handicapped individuals and the general public by simply restricting certain areas to handicapped parking only. Parking spaces that are not restricted to handicapped parking only can be used and are available for use by everyone regardless of any physical impairment. In some instances, a non-restricted on-street parking space can best serve the needs of everyone by remaining unrestricted. The requirements under which we restrict an on-street
parking space are defined in the Municipal Code of the City of Des Moines, Chapter 114, as noted in Sections 616 and 617, below. The Central Business District boundaries are defined in Section 618 of Chapter 114, also below.

Sec. 114-616. Parking in spaces for physically handicapped persons.

(a) When official signs are erected, no person shall park a vehicle in a parking space designated as a space for physically handicapped persons unless the vehicle displays, in a manner visible from outside such vehicle, a special identification device issued by the state department of transportation and the vehicle is being used, either as operator or passenger, by the individual to whom the device has been issued or another individual who is confined to a wheelchair or is otherwise so physically handicapped as to have significant difficulty or insecurity in walking.

(b) Parking spaces for the physically handicapped shall be in locations which are as convenient as is feasible to the exits from or entrances to the garages, metered lots, and public employee lots of the municipal parking system.

(c) A person who violates any provision of this section shall pay a fine of $200.00 for each violation or the fine as established in section 805.8A, subsection 1, paragraph “c” of the Iowa State Code, whichever is greater.

Sec. 114-617. Handicapped parking spaces required; penalty.

(a) The city and any other political subdivision which provides on-street parking areas within a business district shall by ordinance define and establish a business district and shall designate not less than two percent of the total parking spaces within each business district as handicapped parking spaces. A new nonresidential facility in which construction has been completed on or after July 1, 1991, providing parking to the general public shall provide handicapped parking spaces as follows:

<table>
<thead>
<tr>
<th>Total Parking Spaces in Lot or Facility</th>
<th>Required Minimum</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number of Handicapped Parking Spaces</td>
</tr>
<tr>
<td>10 to 25</td>
<td>1</td>
</tr>
<tr>
<td>Range</td>
<td>Value</td>
</tr>
<tr>
<td>-----------</td>
<td>---------</td>
</tr>
<tr>
<td>26 to 50</td>
<td>2</td>
</tr>
<tr>
<td>51 to 75</td>
<td>3</td>
</tr>
<tr>
<td>76 to 100</td>
<td>4</td>
</tr>
<tr>
<td>101 to 150</td>
<td>5</td>
</tr>
<tr>
<td>151 to 200</td>
<td>6</td>
</tr>
<tr>
<td>201 to 300</td>
<td>7</td>
</tr>
<tr>
<td>301 to 400</td>
<td>8</td>
</tr>
<tr>
<td>401 to 500</td>
<td>9</td>
</tr>
<tr>
<td>501 to 1,000</td>
<td>2% of total</td>
</tr>
<tr>
<td>1,001 and over</td>
<td>20 plus 1 for each 100 over 1,000</td>
</tr>
</tbody>
</table>

(b) A person may also set aside handicapped parking spaces on the person's property, provided each parking space is clearly and prominently designated as a parking space. The use of a handicapped parking space by a motor vehicle not displaying such a handicapped identification device or by a motor vehicle displaying such a device but not being used by a handicapped person, as operator or passenger, shall be guilty of a misdemeanor punishable by fine or imprisonment as provided by section 1-15 of this Code.
Sec. 114-618. Handicapped parking space signs

Handicapped parking spaces shall be designated by a handicapped parking sign bearing the international symbol of accessibility, and by no other means. Painting the international symbol of accessibility on the pavement alone is not sufficient designation of the handicapped parking spaces. If a person who owns or leases real property in the city is required to provide handicapped parking spaces, the city shall provide the signs for the person. The signs shall be provided upon request at cost.

Sec. 114-619. Business district delineated.

For purposes of this article, the business district shall be constituted of all the streets and avenues located within the area bounded by the south side of Mulberry Street at Tenth Street; thence east to the west side of Sixth Avenue; thence south to the south side of Cherry Street; thence east to the east side of Fifth Avenue; thence north to the south side of Court Avenue; thence east to the east side of First Street; thence north to the north side of Grand Avenue; thence west to the east side of Second Avenue; thence north to the south side of Watson Powell Jr Way, but not including Watson Powell Jr Way; thence west to the east side of Eighth Street; thence south to the north side of Pleasant Street; thence west to the west side of Tenth Street; thence south to the south side of Mulberry Street.

2) Public parking facilities owned by the City of Des Moines

The City of Des Moines, within the Public Parking Facilities owned by the City of Des Moines strives to make convenient parking available for those individuals who have valid physical mobility impairments. In doing so we attempt to place signed handicapped parking spaces adjacent to convenient avenues of egress, (i.e., ramped entrances, Skywalk corridors or elevators). We also design our facility parking spaces in accordance with the minimum requirements of the Universal Parking Space Design and Dimensions of Parking Spaces as defined by the Americans with Disabilities Act Accessibility Guidelines (ADAAG). These requirements also address proper signing and van accessibility requirements. Because nearly all City of Des Moines Municipal Parking Facilities are connected to the City of Des Moines Skywalk System and because of the centralized location of these parking facilities, multiple areas within these facilities are designated as handicapped to serve handicapped patrons going to various locations adjacent to or near the municipal parking facility. Every attempt has been made to place these parking areas near the most convenient point of egress. In many instances, there is more than one point of interest to the public using these public parking facilities. Because of this, the various handicapped parking spaces may be located in two or more locations within the parking facility for the convenience of the handicapped patron. The City of Des Moines complies with the guidelines of the Municipal Code, Section 114-617, regarding establishing the minimum number of handicapped parking spaces within a parking facility owned by the City of Des Moines. In many instances, due to the location of the facility and a higher demand, this minimum number of spaces has been exceeded. On an on-going
basis, the City of Des Moines reviews the occupancy rate of all handicapped parking spaces within our parking facilities. If the occupancy rate exceeds 80% on a regular basis, we add one or more additional handicapped parking spaces. If the occupancy rate falls below 60% we will remove one handicapped parking space down to the minimum number of parking spaces required by Section 114-617. The City of Des Moines will never decrease the number of parking spaces in our facilities below what is required in Section 114-617.

3) Off-Street public parking areas owned by the City of Des Moines

The City of Des Moines complies with the guidelines of the Municipal Code, Section 114-617, regarding establishing the number of handicapped parking spaces within an off-street surface lot owned by the City of Des Moines. On an on-going basis, the City of Des Moines will review the occupancy rate of all handicapped parking spaces within our surface lots. If the occupancy rate exceeds 80% on a regular basis, we add one or more additional handicapped parking spaces to meet this demand. If the occupancy rate falls below 60% we will remove one handicapped parking space down to the minimum number of parking spaces required by Section 114-617. The City of Des Moines will never decrease the number of parking spaces in our surface lots below what is required in Section 114-617.

4) On-Street public parking areas outside of the area defined as the Central Business District but within the corporate limits of the City of Des Moines.

The City of Des Moines recognizes that there are specific instances where a resident, community center, school, medical facility or house of worship, within the City of Des Moines, may have special needs to provide handicapped parking. In most instances, the City of Des Moines desires that entities that are not private in nature provide their own private parking on private property. It is also recognized that due to the geographical location of the some older buildings and changes in usage over time that this is not always possible. On a case by case basis, the City of Des Moines will work with the individual in charge of private organizations of the type mentioned above to provide adequate accessible parking on a limited basis. The City of Des Moines also recognizes that in specific instances, due to parking congestion and lack of available off-street parking, in a residential area, that a private resident of the City of Des Moines may need to have their special parking needs reviewed by the City of Des Moines. In some instances, the City of Des Moines has agreed to provide handicapped on-street parking to serve a specific and special need. These needs could include a handicapped parking area being designated in front of a residence when no off-street parking is available at that residence. This designation of a handicapped parking area can also include designating a handicapped parking space to provide a loading and unloading area for Metropolitan Transit Authority or Des Moines Community School District vehicles specifically designed to pick-up or drop-off wheel chair bound individuals.

In designating a handicapped parking area of this type, we require, as part of the application procedure, that the individual or their legal guardian provide a physician’s statement indicating that the individual is permanently physically impaired. We also require a statement
from the property resident stating that there is no off-street parking available which will accommodate the need for handicapped parking or handicapped loading and unloading. The City of Des Moines will review each request and make a site review of the location and either recommend or deny the request based upon the physical characteristics of the proposed site and safety factors related to existing street and parking conditions in that area. A reply to the requestor, if denied, will state all reasons as to why the request was denied. An approval of a request will be submitted to the City Council for their approval of an ordinance change to the existing traffic ordinances in that area dealing with parking, in a timely manner. In those cases where the need for a handicapped parking is perceived as being of an emergency nature, the City of Des Moines may make a temporary installation of a handicapped parking area, under the authorization of an emergency police order, until the applicants request for an ordinance change is considered by the City Council at a regularly scheduled City Council meeting.

Handicapped Parking Synopsis

The City of Des Moines recognizes that residents, employees and visitors to the City of Des Moines, who have a physical disability, have many various and varied needs. Among those needs are the ability to self-park a vehicle in a position that is located in such a manner that their physical abilities are not over-taxed. We also have a concern that a handicapped persons desire to be mobile is not restricted or deterred simply by the great physical exertion required to overcome physical hazards and/or great travel distances. In that context, these guidelines have been set down. In all cases, we believe that individuals with verifiable disabilities should not be deterred from life’s activities simply because of the physical construction of a parking space, lack of a parking space or the lack of planning for available parking for handicapped individuals within our municipal facilities or corporate limits. To this end, the City of Des Moines will continue to meet or exceed the minimum requirements of the Federal Government’s Americans with Disabilities Act (ADA) and Code of Iowa requirements that address parking issues for public facilities. We will also continue to work with residents of the City of Des Moines to meet specific needs for parking or loading/unloading areas within the many residential areas of the City of Des Moines.