

**CITY OF DAPHNE, ALABAMA  
ORDINANCE 2025-10**

**AN ORDINANCE AMENDING THE CITY OF DAPHNE'S  
ORDINANCE REGULATING PARKING**

**WHEREAS**, the City Council of the City of Daphne, Alabama deems it to be in the interest of public safety and for the benefit of its citizens to provide regulations for parking within the City of Daphne; and

**WHEREAS**, the City Council, after due consideration, has determined that certain revisions to the City of Daphne Parking Ordinance, Ordinance 2006-66, as adopted on September 5, 2006, and codified at Chapter 19, Article III, Division 1 in the City's Code of Ordinances, are necessary for the proper administration of said Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** as follows:

**SECTION 1.            AMENDMENT TO SECTION 19-40: DEFINITIONS**

**Section 19-40 of the City of Daphne Code of Ordinances (adopted as Section I of Ordinance 2006-66) is hereby amended by adding the following definition:**

*Access aisle.* The hash-marked or cross-striped space that is 5 feet or 8 feet wide that is directly next to an accessible parking space, or as otherwise defined by the Americans with Disabilities Act.

**SECTION 2.            AMENDMENT TO SECTION 19-41: PARKING SPACES FOR PHYSICALLY HANDICAPPED; REGULATION**

**Section 19-41 of the City of Daphne Code of Ordinances (adopted as Section II of Ordinance 2006-66) is hereby repealed in its entirety and replaced with the following:**

- (a) It shall be unlawful for any person who does not have a distinctive special long-term access or long-term disability access license plate or placard or temporary disability placard duly issued to such person and currently in effect to park a vehicle in a parking place designated for individuals with disabilities on any public or private property within the corporate limits or police jurisdiction of the city.
- (b) It shall be unlawful for any vehicle to be parked on an access aisle on any public or private property within the corporate limits or police jurisdiction of the city.
- (c) Upon issuance of a municipal ordinance violation citation for a violation under this section, the violator shall receive a court date in the same manner as traffic citations. If the violator, or person to whom the vehicle was registered at the time the citation was issued, fails to either pay the fine prior to the court date or fails to appear in municipal court at the appointed date and time, the municipal court magistrate may issue a summons to the person or persons to whom the vehicle was registered at the time the citation was issued or the magistrate may issue an arrest warrant for the person to whom the vehicle was registered at the time the citation was issued in lieu of a summons. If a violation of a municipal parking ordinance is heard in municipal court, the municipal court judge shall impose court costs.

- (d) In any prosecution for any violation of the provisions of this section, it shall be prima facie evidence that the owner of such vehicle was operating the same at the time of such alleged violation.
- (e) Upon conviction, notwithstanding any other penalty provision which may be authorized or employed, any person violating this ordinance shall be fined a minimum of fifty dollars (\$50.00) for the first offense, a minimum of two hundred dollars (\$200.00) for the second offense, and a maximum of five hundred dollars (\$500.00) for the third or any subsequent offense. In addition, for the second or any subsequent offense under this section, the person may be ordered by the court to perform a minimum of forty (40) hours of either of the following forms of community service:
  - (1) Community service for a nonprofit organization that serves the disabled community or serves persons who have a disabling disease.
  - (2) Any other community service that may sensitize the persons to the needs and obstacles faced daily by persons who have disabilities.

**SECTION 3.            INCORPORATION IN THE CODE OF ORDINANCES.**

The provisions of this Ordinance shall be included in and incorporated in the Code of Ordinances of Daphne, Alabama, as an addition or amendment thereto, and shall be renumbered, if appropriate, to conform to the uniform numbering system of the Code.

**SECTION 4.            SEVERABILITY.**

The provisions, sections, paragraphs, sentences, clauses, phrases, and parts thereof of this Ordinance are severable, and if any provision, section, paragraph, sentence, clause, phrase, or part thereof of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, then such ruling shall not affect any other provision, section, paragraph, sentence, clause, phrase, or part thereof, since the same would have been enacted by the Council without the incorporation of any such unconstitutional or invalid provision, section, paragraph, sentence, clause, phrase, or part thereof.

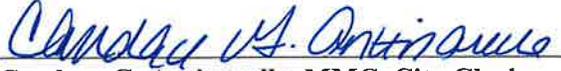
**SECTION 5.            EFFECTIVE DATE.**

This Ordinance shall become effective upon its adoption and publication as provided by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this the 2<sup>nd</sup> day of June, 2025.**

  
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Robin LeJeune, Mayor

ATTEST:

  
Candace G. Antinarella, MMC, City Clerk