

Traffic Council Policy 2: Residential Accessible Parking Spaces

Date Adopted: December 9, 2008. Updated June 22, 2017

As defined by City ordinance, it is the purpose of the Traffic Council to take action on requests for site-specific changes to parking and traffic regulations.

The Traffic Council aims to be fair and consistent in its decisions when similar situations present themselves and, over time, its actions have evolved into some implicit policies. The most frequently observed policies relating to requests for on-street accessible parking spaces are listed below and are to be used as guidelines for the future. Members of Traffic Council hope that this information offers guidance to the public, Council members, and staff as it affects projects or proposals they may consider.

1. DISABILITY PARKING PLACARD or PLATE

In order to apply for an accessible parking space on a residential street, a household member must have a vehicle with a disability placard or plate assigned to a resident at that address.

2. GARAGES AND DRIVEWAYS

For residences with garages or driveways, the applicant should be able to demonstrate that entry or exit from a vehicle within the garage or driveway is unavailable or infeasible. For example, the applicant may show that their driveway is too heavily used by others, or is too steep or narrow to allow for entry or exit.

3. ACCESSIBLE ROUTES OF TRAVEL

For residences with garages or driveways, the applicant should be able to demonstrate that an on-street parking space provides for an easier route of travel to access their home. For example, the applicant may show that an on-street parking space is closer to the main living area of their home, avoids stairs or other barriers, or otherwise creates an easier path of travel.

4. COMPETITION FOR ON-STREET PARKING SPACES

It is not in the City's interest to establish and maintain accessible parking spaces in areas with little or no competition for on-street parking. The applicant should be able to demonstrate that they are unable to access the on-street parking space nearest their home on more than an infrequent basis, due to competition for that space.

The process for handling requests for accessible parking spaces in a residential neighborhood is as follows:

- The applicant fills out a Traffic Council Petition form, available in the Clerk's Office.
- The Newton Commission on Disability (COD), where the majority of the members are persons with disabilities, reviews the request and forwards a recommendation to the Traffic Council.
- The Traffic Council reviews the request, and considers the recommendation of the COD, (1) through (4) above, and any other relevant additional information provided by the applicant or other members of the public. The Traffic Council is composed of staff from the Planning and/or Public Works Departments, and the Police Department, as well as a City Councilor and Citizen Representative.
- After Traffic Council votes to approve or deny an accessible parking space, any Newton resident may appeal the decision within 20 days. Appealed Traffic Council items are transferred to the City Council for final action.

Other important information:

- All approved accessible parking spaces on public streets in Newton are available to the general public, and must be shared by all vehicles displaying valid Disability placards or plates, on a first-come first-served basis.
- The City of Newton is not legally required to provide an on-street parking space for a person with a disability.
- Accessible parking spaces are not valid during established times when no parking is allowed on the street, do not override Newton's winter overnight parking prohibition, and cannot be located within no parking zones, tow zones, or loading zones.
- Section 19-178 of the Revised Ordinances of Newton Massachusetts provides additional detail regarding accessible parking.