

MEMORANDUM

October 18, 2007

TO: Michael C. Van Milligen, City Manager
FROM: Rich Russell, Building Services Manager
SUBJECT: ADA Readily Achievable Plan of Action

INTRODUCTION The purpose of this memo is to propose a plan of action for the Inspector II position that was an improvement level package in the FYE2008 budget.

BACKGROUND In April of 2007, Human Rights Director Kelly Larson, you and I met to discuss the program which will focus on the removal of architectural barriers in places of public accommodation when they are "readily achievable".

DISCUSSION Your direction at that time was for me to develop a plan prior to filling the Inspector II position. An outline of the proposed plan follows:

Step 1—Adoption of a Local Accessibility Ordinance

The adoption of an ordinance at the local level will allow us to enforce the readily achievable requirements through the activities of the Building Services Department. The ordinance would be similar to the City of Joliet's ordinance, subject to review by City Attorney Barry Lindahl and Human Rights Director Kelly Larson.

Step 2—Training and/or Familiarization with ADA

Training will include understanding the intent of the local "readily achievable" program and becoming familiar with the local ordinance. Training on the ADA, Fair Housing Act and other nationally-recognized codes will also be sought out.

Step 3—Develop Public Accommodations List

A database of properties will need to be developed that includes all properties affected by the ordinance. The city directory, GIS, windshield surveys and other sources will be used, as needed.

Step 4—Publicize the Program

This step will be on-going (and may be started before Steps 1-3). Channel 8, the city newsletter, press releases and other methods will be used to advise affected property owners and the public in general of the intent of

the program. Brochures, inspection checklists and other handouts will be developed at this time. We expect to use the City of Joliet's samples as a baseline for our materials.

This step will provide an opportunity to partner with Proudly Accessible Dubuque's (PAD) public awareness campaign.

Step 5—Implementation Plans for Public Accommodations

The first step to improving accessibility will be to assist in developing implementation plans for all properties in the database. As these plans are finalized for individual properties, a calendar year will be given for the property owners to meet the "Year One Readily Achievable Goals".

Step 6—Year One Compliance Inspections

Inspections will be made to ensure compliance with the goals. Enforcement to achieve compliance would begin at this time, if necessary. "Year Two Readily Achievable Goals" would be distributed to property owners as they complete their first goals. Another 12-month period would be given for that compliance to occur.

Step 7—Year Two Compliance Inspections

Inspections will be made to ensure compliance with the goals. Enforcement to achieve compliance for this round of goals would begin at this time, if necessary. "Year Three Readily Achievable Goals" would be distributed to property owners as they complete their second set of goals. Another 12-month period would be given for that compliance to occur.

Step 8—Year 3 Compliance Inspections

Inspections will be made to ensure compliance with the goals. Enforcement to achieve compliance for this round of goals would begin at this time, if necessary.

Please note that Steps 6/7 and 7/8 will most likely overlap as properties that comply within the time frames will "get ahead" of properties that don't immediately comply.

"Year One Readily Achievable Goals" would most likely include making parking lots and entrances to businesses accessible, depending on the readily achievable aspects of the individual property owners.

"Year Two Readily Achievable Goals" would most likely include making public restrooms, drinking fountains, public telephones, counters, aisles and shelving accessible, again, depending on the readily achievable standards for individual property owners.

“Year Three Readily Achievable Goals” would likely include making employee restrooms accessible and providing lifts, elevators or similar devices, again, depending on the readily achievable standards for individual property owners.

ACTION TO BE TAKEN Please review and comment on the proposed process.

cc: Kelly Larson, Human Rights Director
Barry Lindahl, City Attorney

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RESEARCH REPORT NO. 1000

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