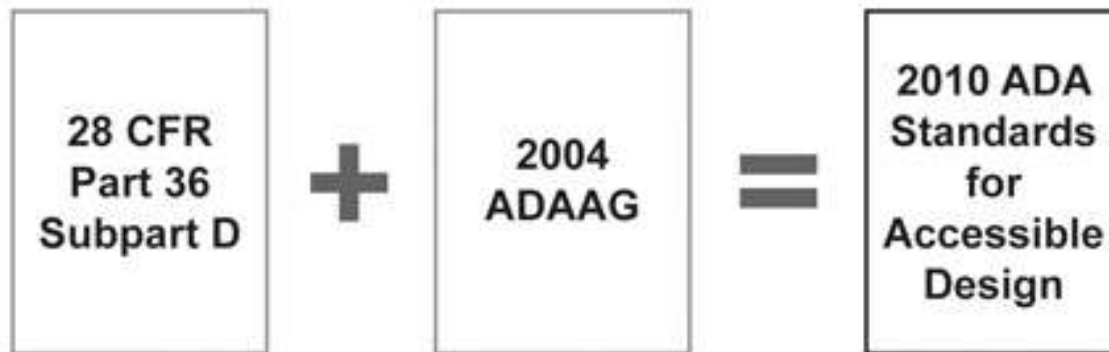


Americans with Disabilities Act Title III Public Accommodations



New Standards

- On March 15, 2011 new standards were passed by Congress updating Title III of the ADA. The new standards are referred to as the '2010 Standards for Accessible Design' or 2010 Standards



Population

- More than 50 Million Americans have some form of disability, or 18% of our population as per the US DOJ Civil Rights Division
- These are all potential consumers of services
- Studies have shown that 'Once people with disabilities find a business where they can shop or get services in an accessible manner they become repeat customers.'

Who is covered?

- Businesses that provide goods or services to the public are called 'public accommodations.'
- -Examples include Stores, restaurants, bars, service establishments, theaters, hotels, rec facilities, private museums, schools.
- 'Grandfather provisions' found in local building codes do not exempt businesses from ADA obligations.

Requirements

- Reasonable Modifications
- -Required when a business has policies or procedures that inadvertently make it difficult for a customer with a disability to access goods or services.
- -Most involve minor adjustments to policies
- Anything that would result in a 'fundamental alteration' (essential nature of your business) is not required.

Requirements

- Service Animals
- -Have a clear policy permitting service animals
- -limited to dogs and miniature horses
- -Animals that are out of control or not house broken can be asked to leave.
- -Two questions to ask:
 - *Is the dog a service animal required because of a disability?
 - *What work or task has the dog been trained to perform



Requirements

- Wheelchairs and Other Power driven mobility devices
- -Businesses must allow people with disabilities to use these devices in areas where customers are allowed
- -May need to move displays to enable person using mobility device access. Path of travel needs to be minimum of 36" wide

Requirements

- Communication
- -Deaf/Hard of hearing may require an interpreter, or exchange of written notes
- -Blind or low vision may require audio recording, Braille, or large print.
Restaurants can have servers read the menu to the customer as a Reasonable Accommodation.



Accessible Built Environment

- Existing Facilities: If your business facility was built or altered in the past 20 years and is in compliance with 1991 standards you do not have to make further modifications, this is 'safe harbor' or as many people think 'grandfathered!' But if you choose to alter elements in compliance with '91 standards safe harbor no longer applies. For example re-striping parking lots, relocating an ATM

Existing Facilities continued

- The ADA requires small businesses remove architectural barriers in existing facilities when ‘readily achievable’ to do so. Readily Achievable means, ‘easily accomplished without difficulty or expense.’ Also based on the size and resources of the business.



Barrier Removal Priorities

- Providing access to your business from public sidewalks (are they shoveled, level without heaving), parking areas, and public transportation
- Providing access to the goods and services your business offers
- Providing access to public restrooms



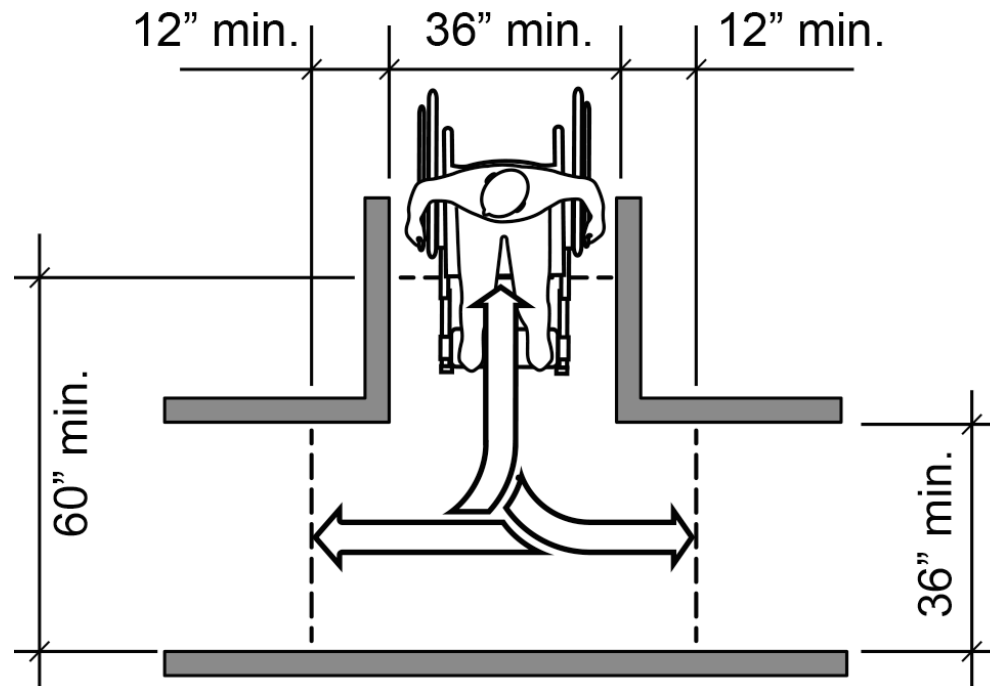
Priorities

- Accessible parking
- One of every six spaces must be van accessible
- -1-25 spaces requires 1 accessible space
- -26-50 spaces requires 2 accessible spaces
- New accessibility symbol in New York State



- Accessible entrance
- -May need to provide a ramp which can be temporary, a lift or re-grade the walkway
- -Signage to indicate accessible entrance if there is only one
- Automatic door opener is not required by the ADA, but if installed and not operating you are out of compliance.

- Accessible route-The path a person with a disability takes to enter and move throughout the business must be 36" wide, remain accessible and not be blocked by anything.



Resources

- ADA.gov
- Erie County Office for People With Disabilities
- WNY Independent Living Center
- UB Center for Inclusive Design and Environmental Access

- Thanks for taking the time to listen today! If you need further assistance Frank Cammarata can be contacted at 716-858-6215