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ADA Guide for Businesses

The City of Lemoore is issuing this guide from the U.S. Department of Justice to help businesses understand and comply with the Americans With Disabilities Act. This guide presents an overview of some basic ADA requirements for businesses that provide goods or services to the public.

The Americans with Disabilities Act

The Americans with Disabilities Act (ADA) is a Federal civil rights law that prohibits the exclusion of people with disabilities from everyday activities, such as buying an item at the store, watching a movie in a theater, enjoying a meal at a local restaurant, exercising at the local health club or having the car serviced at a local garage. To meet the goals of the ADA, the law established requirements for private businesses of all sizes. ADA requirements first went into effect per California law in 1971, and were adopted at the Federal level on January 26, 1992. The State and Federal requirements apply to both for-profit and non-profit organizations.

In recognition that many businesses can not afford to make significant physical changes to their stores or places of business to provide accessibility to wheelchair users and other people with disabilities, the ADA has requirements for existing facilities built before 1993 that are less strict than for ones built after early 1993 or modified after early 1992.

If you own, operate, lease, or lease to a business that serves the public, then, you are covered by the ADA and have obligations for existing facilities as well as for compliance when a facility is altered or a new facility is constructed. "Grandfather provisions," that are often used by building code officials, do not exempt existing facilities. The following is a list of items that must be addressed under the ADA:

Architectural Barriers	Sales and Service Counters (Register Area)
Accessible Parking	Serving Counters (Bars)
Accessible Entrance	Fixed Seating and Tables
Doors at Entrances to Businesses	Policies and Procedures
Turnstiles and Security Gates at Entrances	Communicating with Customers
Shelves and Maneuvering Space	

New Construction and Alterations

The ADA requires that newly constructed facilities, first occupied on or after January 26, 1993, meet or exceed the minimum requirements of the ADA Standards for Accessible Design (Standards). Alterations to facilities, spaces or elements (including renovations) on or after January 26, 1992, also must comply with the Standards. If you build a new facility or modify your existing one, make sure to consult the Standards and the Title III regulations for the specific requirements. Renovations or modifications are considered to be alterations when they affect the usability of the element or space. For example, installing a new display counter, moving walls in a sales area, replacing fixtures, carpet or flooring, and replacing an entry door would be considered alterations. However, simple maintenance, such as repainting a wall is not considered an alteration by the ADA.

To help businesses with their compliance efforts, Congress established a technical assistance program to answer questions about the ADA. Answers to your questions about the ADA are a phone call away. The Department of Justice operates a toll-free ADA Information Line: (800) 514-0301 for voice and 800-514-0383 TDD. In addition, tax credits and deductions were established that could be used annually to offset many costs of providing access to people with disabilities.

ADA Information Sources

Department of Justice - ADA Information Line

The ADA Information Line is available during weekdays to provide technical assistance on the ADA Standards for Accessible Design and other ADA provisions applying to businesses, non-profit service agencies and state and local government programs. It also provides a 24 hour automated service for ordering ADA materials.

800-514-0301 (voice)

800-514-0383 (TDD)

To download information by computer:

www.usdoj.gov/crt/ada/adahom1.htm

Disability and Business Technical Assistance Centers (DBTACs)

The ten regional centers are funded by the Department of Education to provide technical assistance on the ADA. One toll-free number connects to the center in your region.

800-949-4232 (voice & TDD)

State of California Internet Resources

The State of California also has ADA requirements that supersede the Federal regulations in instances where the State requirement is more stringent. State of California regulations can be found on the web at:

http://www.dsa.dgs.ca.gov/UniversalDesign/ud_accessmanual.htm

Local Libraries

Technical assistance materials including the Title III regulations that apply to businesses have been distributed to 15,000 libraries nationwide. This collection is known as the ADA Information File. Contact your local or regional library to find if it has the ADA Information File and where it is located. You may also contact the regional DBTAC (800-949-4232) to obtain the name of a local library that has the ADA Information File. The Kings County Library in Hanford has *The ADA Handbook* (1992) for your reference. They can be reached at (559) 582-0261.

Small Business Administration

800-827-5722 (voice/relay)
(800-U ASK SBA)

Internet Website: www.sba.gov

Federal EEOC Website

The Equal Employment Opportunity Commission provides businesses with ADA regulations regarding labor and employment issues that are separate from construction issues but just as important to follow.

They can be reached online at:

<http://www.eeoc.gov/>

Disclaimer: The ADA authorizes the Department of Justice to provide technical assistance to individuals and entities that have rights or responsibilities under the Act. This document provides informal guidance to assist you in understanding the ADA and the Department's regulation. However, this technical assistance does not constitute a legal interpretation of the statute.