

ACCESSIBILITY SERVICES ADVISORY COUNCIL

Purpose:

To create an advisory body, under the direction of the Mayor, to provide the residents of Salt Lake City with an opportunity to comment on and participate in the formulation of significant decisions pertaining to accessibility services and issues affecting people with disabilities in various aspects of government and city life.

Definitions:

For the purposes of this document, the following terms, phrases, words, and their derivations shall have the meanings given in this section:

A. **“Accessibility”** means the degree of usability and design of a physical environment allowing for unobstructed and barrier free entrance and movement, and that the facilities, equipment and communications tools are such that they are easily used without adaptation by a person with a disability.

B. **“ADA”** means the “Americans with Disabilities Act” of 1990, which is divided into five titles and prohibits discrimination on the basis of disability; Title I applies to employment; Title II is State and local government services, programs, activities and transportation; Title III addresses public accommodations; Title IV is concerned with telecommunications; and Title V is for miscellaneous matters.

C. **“ADAAG”** means the “Americans with Disabilities Act Accessibility Guidelines” which is developed by the U.S. Architectural and Transportation Barriers Compliance Board (Access Board), as required by the Department of Justice, using the Uniform Federal Accessibility Standards (UFAS) and the American National Standard Institute’s ANSI A117.1; it contains scoping and technical requirements for accessibility to buildings and facilities for people with disabilities.

D. **“ADA Coordinator”** means the person appointed by the Mayor to serve as the responsible employee to ensure compliance with the ADA.

E. **“City”** means and refers to Salt Lake City, a municipal corporation of the State of Utah.

F. **“Council”** means the Salt Lake City Accessibility Services Advisory Council created by this action.

G. **“Disability”** means a physical or mental impairment that substantially limits one or more of the major life activities, there is a record of such impairment or the individual is regarded as having such impairment.

H. **“Major Life Activities”** means such activities as caring for one’s self, performing manual tasks, breathing, walking, seeing, hearing, speaking, learning, and working.

I. **“Member”** means a person appointed by the Mayor who is a duly qualified member of the council.

J. **“Public accommodation”** means a facility, operated by a private entity, whose operations affect commerce and provide service to the general public.

K. **“Transition Plan”** means a mandated outline of changes necessary to meet access requirements in programs, activities and services.

Council Created:

There is created the Salt Lake City Accessibility Services Advisory Council, hereinafter referred to as the "Council", which body shall consist of a minimum of eleven (11) appointed members. Membership shall consist of residents, business owners, representatives of organizations actively involved in accessibility and disability issues affecting Salt Lake City, and representatives of other government agencies who serve the needs of people with disabilities. The ADA Coordinator shall serve as an ex officio member of the council with no voting privileges.

Appointment Of Members:

All appointments of members of the Council shall be made by the Mayor with the advice of the ADA Coordinator. In making appointments the Mayor shall, with recommendations from the ADA Coordinator, initially designate five (5) members to serve two (2) years and six (6) members to serve three (3) years. Any fraction of a year in the initial appointment shall be considered a full year. Thereafter, all appointments shall be made for a three (3) year term. Each member's term of office shall expire on the applicable last Monday in December. Members shall be limited to no more than two (2) consecutive three (3) year terms each. Each person shall perform service on a voluntary basis without compensation and on such basis shall be immune from liability with respect to any recommendation or action taken during the course of those services as provided by Utah Code Annotated, section 63-30-1 et seq., as amended, or successor sections. Vacancies occurring in the membership of the Council shall be filled by appointment by the Mayor with the advice of the ADA Coordinator for the unexpired term.

Removal From Office:

Any member may be removed from the Council by the Mayor, prior to the normal expiration of the term for which such member was appointed. Any member with three (3) unexcused absences or more than six (6) excused absences from Council meetings in one calendar year shall forfeit membership on the Council. Council members who are appointed as representatives of a specific area or organization shall forfeit membership on the Council upon relocation from the area or if they are no longer in good standing with the organizations they represent.

Members' Ethics:

Members shall be subject to and bound by the provisions of the City's conflict of interest ordinance, chapter 2.44, or its successor. Any violations of the provisions of said chapter, or its successor, shall be grounds for removal from office.

Eligibility For Membership:

In addition to the requirements set forth in the "Council Created" section of this document, a person, to be eligible to be appointed as a member of the Council, shall meet the following prerequisites:

- A. Be not less than twenty one (21) years of age;
- B. Be a resident of the State of Utah.

Meetings:

A. The Council shall convene for regular meetings to be held approximately monthly throughout the year. To the extent that meetings of the Council are governed by Chapter 4 of Title 52, Utah Code Annotated, 1953, as amended, or its successor, said meetings shall be conducted in compliance with said state law. Meetings shall be held at the City and County Building, or at such other public place as may be designated by the Council. A simple majority of members of the Council shall constitute a quorum for the purpose of conducting business.

B. The Council shall cause a written record of its proceedings to be kept which shall be available for public inspection in the office of the ADA Coordinator. The Council shall record the ye and nay votes of any action taken by it. The ADA Coordinator shall make available a secretary to the Council when required.

C. The Council shall adopt a system of rules of procedure under which its meetings are to be held. The Council may suspend the rules and procedures by unanimous vote of the members of the Council who are present at the meeting.

The Council shall not suspend the rules of procedure beyond the duration of the meeting at which suspension of the rules occurs.

Election Of Officers:

Each year, the Council at its first regular meeting in July shall select one of its members as chairperson and another of its members as vice chairperson, who shall perform the duties of the chairperson during the absence or disability of the chairperson. No member shall serve more than two (2) consecutive terms as chairperson.

Review Of Action – Powers Of Mayor:

All actions taken by the Council shall constitute recommendations to the ADA Coordinator, the Mayor, to city departments, and to other city commissions and boards and shall not constitute official action. The ADA Coordinator and/or Mayor shall have the power to review, ratify, modify or disregard any recommendation submitted by the Council, and the Mayor may refer the matter to a city department, board or commission, or the City Council, if appropriate.

Committees:

The Council may, by vote, designate such committee or committees as it desires to study, consider and make recommendations on matters which are presented to the council. In the event the Council desires non-Council members to serve on a committee, the Council may make such appointments; but shall include at least one Council member on the committee. Non-Council members of committees shall serve without compensation, as will Council members

Powers And Duties:

The Council shall have the following powers and duties:

- A. **Determine and establish** such rules and regulations for the conduct of the Council as the members shall deem advisable; provided, however, that such rules and regulations shall not be in conflict with City ordinances, or other state or federal law;
- B. **Recommend** the adoption and alteration of rules, regulations and ordinances which it shall from time to time deem in the public interest and for the purposes of carrying out the objects of the Council; provided, however, that such rules and regulations shall not be in conflict with City ordinances, or other state or federal law;
- C. **Monitor** the progress and assist in the updating of transition plans and other plans pertaining to ADA compliance;
- D. **Review** regional, citywide and significant local policies, programs, and projects affecting accessibility and provide recommendations to the ADA Coordinator and/or Mayor on same as deemed by the Council to be in the best interest of the city and its citizens;
- E. **Evaluate and assess** needs and violations pertaining to City services and public accommodations, and recommend pertinent methods of corrective action pertaining to ADA and ADAAG requirements and compliance;
- F. **Monitor** the City's compliance with ADA relating to accessibility and accommodations pertaining to housing, transportation, construction, services, programs, facilities, parking, sidewalks, and other matters as they may arise;
- G. **Promote** public education of accessibility and disability issues affecting the City and its citizens;
- H. **Recommend** to the Mayor suggestions regarding priority and funding of capital improvements affecting accessibility and people with disabilities;
- I. **Serve** as a coordination body and resource for organizations and individuals interested in accessibility services and/or disability issues affecting the city.