# CITY OF BALTIMORE
# COUNCIL BILL 25-0126
# (First Reader)

Introduced by: Councilmember Ramos
Cosponsored by: Councilmembers Parker, Conway, Gray, Bullock, Schleifer, Middleton, Torrence, Porter, Blanchard, Jones, and Glover, and President Cohen
Introduced and read first time: November 24, 2025
Assigned to: Public Health and Environment Committee
REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Office of the City Administrator, Office of Equity and Civil Rights, Mayor's Office of Immigrant Affairs

A BILL ENTITLED

AN ORDINANCE concerning

**Accessibility in City Programs, Services, and Activities**

FOR the purpose of implementing subtitle A of title II of the Americans with Disabilities Act of 1990, as amended, and 28 CFR Part 35 {"Nondiscrimination on the Basis of Disability in State and Local Government Services"}; establishing the mandate that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a City agency, or be subjected to discrimination by a City agency; defining certain terms; establishing a special effective date; and generally relating to the provision of public services to qualified individuals with a disability.

BY adding
Article 1 - Mayor, City Council, and Municipal Agencies
Sections 4-1 to 4-7 to be under the new subtitle designation,
"Subtitle 4. Accessibility in City Programs, Services, and Activities"
Baltimore City Code
(Edition 2000)

**SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the Laws of Baltimore City read as follows:

**EXPLANATION:** CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

# Baltimore City Code

## Article 1. Mayor, City Council, and Municipal Agencies

### SUBTITLE 4. ACCESSIBILITY IN CITY PROGRAMS, SERVICES, AND ACTIVITIES

**§ 4-1. DEFINITIONS.**

(A) *IN GENERAL.*

(1) *IN SUBTITLE.*

IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) *TERMS NOT DEFINED.*

ANY TERM USED BUT NOT DEFINED IN THIS SUBTITLE SHALL HAVE THE MEANING AS STATED IN THE AMERICANS WITH DISABILITIES ACT OF 1990, AS AMENDED, AND THE FEDERAL REGULATIONS PROMULGATED PURSUANT THERETO, AS AMENDED.

(B) *ADA.*

"ADA" MEANS THE AMERICANS WITH DISABILITIES ACT OF 1990, AS AMENDED, AND THE FEDERAL REGULATIONS PROMULGATED PURSUANT THERETO, AS AMENDED.

(C) *ADA COORDINATOR.*

"ADA COORDINATOR" MEANS A DESIGNATED CITY EMPLOYEE FROM EACH AGENCY COVERED BY THIS SUBTITLE WHO, IN CONSULTATION WITH THE DIRECTOR OF THE AGENCY AND THE OFFICE OF EQUITY AND CIVIL RIGHTS, IS RESPONSIBLE FOR COORDINATING COMPLIANCE WITH ALL RELEVANT LOCAL, STATE, AND FEDERAL LAWS ADDRESSING ACCESSIBILITY.

(D) *AGENCY.*

"AGENCY" HAS THE MEANING STATED IN ARTICLE 1, §2(J) OF THE CITY CHARTER.

(E) *AUXILIARY AIDS AND SERVICES.*

"AUXILIARY AIDS AND SERVICES" HAS THE MEANING STATED IN 28 CFR 35.104.

(F) *DISABILITY.*

"DISABILITY" HAS THE MEANING STATED IN 28 CFR 35.130, AND SHALL BE CONSTRUED BROADLY IN FAVOR OF EXPANSIVE COVERAGE TO THE MAXIMUM EXTENT PERMITTED BY THE TERMS OF THE ADA, THE REHABILITATION ACT, AND STATE AND CITY LAWS.

(G) *DISCRIMINATE.*

"DISCRIMINATE" HAS THE MEANING STATED IN THE ADA, 42 U.S.C. § 12101(B).

(H) *MAYOR'S OFFICE OF IMMIGRANT AFFAIRS.*

"MAYOR'S OFFICE OF IMMIGRANT AFFAIRS" OR "MIMA" MEANS THE MAYOR'S OFFICE OF IMMIGRANT AFFAIRS AS ESTABLISHED IN § 54-2 {"OFFICE ESTABLISHED"} OF THIS ARTICLE 1, OR ITS SUCCESSOR.

(I) *OFFICE OF EQUITY AND CIVIL RIGHTS.*

"OFFICE OF EQUITY AND CIVIL RIGHTS" OR "OECR" MEANS THE BALTIMORE CITY OFFICE OF EQUITY AND CIVIL RIGHTS, OR ITS SUCCESSOR.

(J) *QUALIFIED INDIVIDUAL WITH A DISABILITY.*

"QUALIFIED INDIVIDUAL WITH A DISABILITY" MEANS AN INDIVIDUAL WITH A DISABILITY WHO, WITH OR WITHOUT REASONABLE MODIFICATIONS TO THE CITY OF BALTIMORE'S RULES, POLICIES, OR PRACTICES, THE REMOVAL OF ARCHITECTURAL, COMMUNICATION, OR TRANSPORTATION BARRIERS, OR THE PROVISION OF AUXILIARY AIDS AND SERVICES, MEETS THE ESSENTIAL ELIGIBILITY REQUIREMENTS FOR THE RECEIPT OF SERVICES OR THE PARTICIPATION IN PROGRAMS OR ACTIVITIES PROVIDED BY THE CITY OF BALTIMORE.

(K) *REASONABLE ACCOMMODATION.*

"REASONABLE ACCOMMODATION" MEANS A CHANGE IN POLICY, PRACTICE, OR PROCEDURE REQUIRED TO MAKE A PROGRAM, SERVICE, OR ACTIVITY ACCESSIBLE FOR AN INDIVIDUAL WITH A DISABILITY.

(L) *REHABILITATION ACT.*

"REHABILITATION ACT" MEANS THE FEDERAL REHABILITATION ACT OF 1973, AS AMENDED, AND THE FEDERAL REGULATIONS PROMULGATED PURSUANT THERETO, AS AMENDED.

(M) *UNDUE BURDEN.*

"UNDUE BURDEN" MEANS THERE IS A SIGNIFICANT DIFFICULTY OR EXPENSE INCURRED BY AN AGENCY IN PROVIDING A REQUESTED ACCOMMODATION.

**§ 4-2. NONDISCRIMINATION ON THE BASIS OF DISABILITY IN GOVERNMENT SERVICES.**

(A) *IN GENERAL.*

AN AGENCY MAY NOT VIOLATE 28 CFR PART 35 {"NONDISCRIMINATION ON THE BASIS OF DISABILITY IN STATE AND LOCAL GOVERNMENT SERVICES"} BY, ON THE BASIS OF AN INDIVIDUAL'S DISABILITY:

(1) EXCLUDING THE INDIVIDUAL FROM PARTICIPATION IN THE SERVICES, PROGRAMS, OR ACTIVITIES OF THE AGENCY;

(2) DENYING THE INDIVIDUAL THE BENEFITS OF THE SERVICES, PROGRAMS, OR ACTIVITIES OF THE AGENCY; OR

(3) DISCRIMINATING AGAINST THE INDIVIDUAL.

(B) *REASONABLE ACCOMMODATION.*

AN AGENCY SHALL MAKE REASONABLE MODIFICATIONS TO EXISTING POLICIES, PRACTICES, AND PROCEDURES TO ENSURE THAT AN INDIVIDUAL WITH A DISABILITY HAS AN EQUAL OPPORTUNITY TO PARTICIPATE AND BENEFIT FROM ITS PROGRAMS, SERVICES, AND ACTIVITIES.

(C) *LIMITATION ON REQUIREMENT TO PROVIDE ACCOMMODATION.*

AN AGENCY MAY NOT TAKE AN ACTION TO PROVIDE A REASONABLE ACCOMMODATION IF THAT ACTION WOULD:

(1) FUNDAMENTALLY ALTER THE NATURE OF THE PROGRAM, SERVICE, OR ACTIVITY IN QUESTION; OR

(2) IMPOSE AN UNDUE BURDEN ON THE AGENCY.

**§ 4-3. PROHIBITION ON FEE FOR ACCOMMODATION.**

AN AGENCY MAY NOT ASSESS A FEE ON AN INDIVIDUAL WITH A DISABILITY OR ANY GROUP OF INDIVIDUALS WITH DISABILITIES TO PAY THE COST OF PROVIDING:

(1) AN AUXILIARY AID;

(2) AN AUXILIARY SERVICE; OR

(3) A REASONABLE ACCOMMODATION.

**§ 4-4. GRIEVANCE PROCEDURE.**

(A) *IN GENERAL.*

OECR SHALL PROMULGATE RULES AND REGULATIONS ESTABLISHING PROCEDURES:

(1) FOR AN INDIVIDUAL TO FILE A COMPLAINT AGAINST AN AGENCY FOR PERCEIVED DISCRIMINATION ON THE BASIS OF DISABILITY;

(2) FOR RECEIPT AND REVIEW OF A COMPLAINT BY AN AGENCY;

(3) FOR INVESTIGATION OF A COMPLAINT BY AN AGENCY; AND

(4) FOR RESOLUTION OF A COMPLAINT.

(B) *APPLICABILITY OF RULES AND REGULATIONS ESTABLISHED BY OECR.*

ALL AGENCIES SHALL IMPLEMENT AND COMPLY WITH ANY RULE OR REGULATION PROMULGATED BY OECR UNDER THIS SECTION.

**§ 4-5. AGENCY RESPONSIBILITIES.**

(A) *ADA COORDINATOR.*

(1) *IN GENERAL.*

EACH AGENCY SHALL DESIGNATE, AND ACCORDINGLY COMPENSATE, AT LEAST 1 EMPLOYEE TO BE THE "ADA COORDINATOR" FOR THE AGENCY.

(2) *DUTIES.*

AN ADA COORDINATOR SHALL:

(I) DEVELOP AN ACCESSIBILITY PLAN FOR THE AGENCY AS REQUIRED UNDER SUBSECTION (B) OF THIS SECTION;

(II) ON A REGULAR BASIS, ASSESS THE AGENCY'S ACCESSIBILITY PLAN FOR EFFECTIVENESS AND MAKE CHANGES, AS NEEDED;

(III) RECEIVE AND RESPOND TO REQUESTS FOR A REASONABLE ACCOMMODATION;

(IV) COORDINATE THE PREPARATION AND SUBMISSION OF AN AGENCY ANNUAL REPORT REQUIRED UNDER SUBSECTION (C) OF THIS SECTION; AND

(V) CONSULT WITH THE AGENCY'S LANGUAGE ACCESS LIAISON TO IMPLEMENT THE AGENCY'S LANGUAGE ACCESS PLAN.

(B) *AGENCY ACCESSIBILITY PLANS.*

(1) *IN GENERAL.*

THE DIRECTOR OF AN AGENCY, IN CONSULTATION WITH OECR AND THE AGENCY'S ADA COORDINATOR, SHALL DEVELOP AND IMPLEMENT AN ACCESSIBILITY PLAN.

(2) *CONTENTS.*

AN ACCESSIBILITY PLAN SHALL INCLUDE:

(I) THE MODE:

(A) OF EVALUATING THE NEEDS OF A QUALIFIED INDIVIDUAL WITH A DISABILITY ATTEMPTING TO ACCESS AN AGENCY SERVICE;

(B) OF PROVIDING AN ACCOMMODATION TO A QUALIFIED INDIVIDUAL WITH A DISABILITY;

(C) OF COORDINATING WITH MIMA WHEN SERVING AN INDIVIDUAL WITH BOTH LANGUAGE ACCESS AND DISABILITY-RELATED NEEDS; AND

(D) OF PROVIDING PUBLIC NOTICE OF THE AGENCY'S OBLIGATION TO SERVE A QUALIFIED INDIVIDUAL WITH A DISABILITY.

(II) THE MEANS BY WHICH THE AGENCY WILL MONITOR ITS COMPLIANCE WITH:

(A) THE ACCESSIBILITY PLAN;

(B) THE PROVISION OF THIS SUBTITLE; AND

(C) ANY OTHER APPLICABLE LAWS, RULES, AND REGULATIONS REGARDING AN INDIVIDUAL WITH A DISABILITY AND ACCESS TO PUBLIC SERVICES; AND

(III) THE NAME AND CONTACT INFORMATION OF EACH EMPLOYEE THAT WILL SERVE AS AN ADA COORDINATOR FOR THE AGENCY.

(3) *PUBLICATION; SUBMISSION.*

AN AGENCY SHALL:

(I) PUBLICLY PUBLISH THE AGENCY'S ACCESSIBILITY PLAN; AND

(II) SUBMIT THE AGENCY'S ACCESSIBILITY PLAN TO OECR.

(4) *BIANNUAL UPDATE.*

THE DIRECTOR OF AN AGENCY SHALL REVIEW, UPDATE, AND IMPLEMENT THE AGENCY'S ACCESSIBILITY PLAN BY JANUARY 1 OF EACH EVEN-NUMBERED YEAR.

(C) *REPORTING REQUIREMENTS.*

(1) *IN GENERAL.*

ON JANUARY 1 OF EACH ODD-NUMBERED YEAR AN AGENCY SHALL FILE A REPORT WITH OECR AND THE DEPARTMENT OF LEGISLATIVE REFERENCE.

(2) *CONTENTS.*

THE REPORT REQUIRED UNDER THIS SUBSECTION SHALL INCLUDE:

(I) AN ASSESSMENT OF THE AGENCY'S PREPARATION AND IMPLEMENTATION OF ITS ACCESSIBILITY PLAN; AND

(II) DATA RELATED TO THE PROVISION OF REASONABLE ACCOMMODATIONS, INCLUDING:

(A) THE NUMBER OF INDIVIDUALS THAT REQUESTED A REASONABLE ACCOMMODATION;

(B) EACH TYPE OF ACCOMMODATION REQUESTED AND IF THE AGENCY PROVIDED THE ACCOMMODATION, AND IF NOT, WHY; AND

(C) THE LENGTH OF TIME FROM REQUEST TO DETERMINATION, AND FROM DETERMINATION TO PROVISION OF ACCOMMODATION.

**§ 4-6. ADMINISTRATIVE SUPPORT FOR AGENCIES.**

SUBJECT TO THE APPROPRIATION OF FUNDS IN THE ANNUAL ORDINANCE OF ESTIMATES AND SUPPLEMENTARY APPROPRIATIONS, OECR SHALL:

(1) PROVIDE OVERSIGHT, COORDINATION, AND TECHNICAL ASSISTANCE TO AN AGENCY AS THE AGENCY PREPARES AND IMPLEMENTS ITS ACCESSIBILITY PLAN; AND

(2) AS APPROPRIATE, CONSULT WITH MIMA WHEN A QUALIFIED INDIVIDUAL WITH A DISABILITY ALSO REQUIRES LANGUAGE ACCESS SERVICES BASED ON THEIR STATUS AS A LIMITED ENGLISH PROFICIENT INDIVIDUAL.

**§ 4-7. RULES AND REGULATIONS.**

SUBJECT TO TITLE 4 {"ADMINISTRATIVE PROCEDURE ACT - REGULATIONS"} OF THE CITY GENERAL PROVISIONS ARTICLE, THE DIRECTOR OF OECR SHALL ADOPT RULES AND REGULATIONS TO CARRY OUT THIS SUBTITLE.

**SECTION 2. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 180th day after the date it is enacted.