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**BALTIMORE CITY COUNCIL
PUBLIC HEALTH AND ENVIRONMENT
COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the **Public Health and Environment Committee** is dedicated to safeguarding the well-being of Baltimore's residents by advancing policies that promote health equity, environmental justice, and sustainability. Recognizing the deep connection between public health and the environment, the committee works to reduce health disparities, improve access to essential services, and address climate-related challenges that impact communities.

**The Honorable Phylicia Porter
Chair**

PUBLIC HEARING

**WEDNESDAY, APRIL 8, 2026
10:00 AM**

COUNCIL CHAMBERS

Bill: 25-0126

Bill 25-0126 – Accessibility in City Programs, Services, and Activities

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BILL SYNOPSIS

Committee: Public Health and Environment

Bill: 25-0126

Accessibility in City Programs, Services, and Activities

Sponsor: Councilmember Ramos, et al

Introduced: November 24, 2025

Purpose:

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.

Effective: Takes effect on the 180th day after the date it is enacted.

Agency Reports

Law Department	Favorable/Amend
Finance Department	None as of this writing
Office of the City Administrator	None as of this writing
Office of Equity and Civil Rights	None as of this writing
Mayor’s Office of Immigrant Affairs	None as of this writing

Analysis

Current Law

*The Americans with Disabilities Act (ADA) – became law in 1990

*The Americans With Disabilities Act Amendments Act (ADAAA) - - became law effective January 1, 2009

Background

The Americans with Disabilities Act (ADA) became law in 1990. The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in many areas of public life, including jobs, schools, transportation, and many public and private places that are open to the general public. The purpose of the law is to make sure that people with disabilities have the same rights and opportunities as everyone else.

The ADA is divided into five (5) titles (or sections).

This Ordinance focuses on Title Two (II) – (State and Local Government) – Nondiscrimination on the Basis of Disability in State and Local Government Services of the ADA.

If enacted, Bill 25-0126 would **add** Subtitle 4 – Accessibility in Programs, Services, and Activities to Article 1 – Mayor, City Council and Municipal Agencies to the **Baltimore City Code**.

For Baltimore City government, this legislation outlines what is needed to **implement Title II of the Americans with Disabilities Act (ADA)**. Per the Act there are seven (7) action guides to implement ADA Title II:¹

- Step 1 – Start implementation
- Step 2 – Appoint an ADA Coordinator
- Step 3 – Provide Public Notice
- Step 4 – Adopt a Grievance Procedure
- Step 5 – Conduct a Self-Evaluation
- Step 6 – Develop a Transition Plan, and
- Step 7 – Create an Action Plan

The legislation/bill outlines processes, procedures, etc. for the action guides listed above.

Wednesday, April 8, 2026, the committee will hold a hearing on this Ordinance.

¹ ADA Title II Action Guide for State and Local Governments - website

Noted: The Law Department is proposing an amendment(s) to the Ordinance. *See attached report.*

Additional Information

Fiscal Note: None as of this writing

Information Source(s): Baltimore City Code, Council Bill 25-0126, The Americans with Disabilities Act, all agency reports and correspondence received as of this writing.

Analysis by: *Marguerite Currin*
Marguerite Currin
Analysis Date: April 6, 2026

Direct Inquiries to: (443) 984-3485

**PUBLIC HEALTH AND
ENVIRONMENT COMMITTEE**

25-0126

AGENCY REPORT(S)

SEE ATTACHED

CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
EBONY M. THOMPSON, CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

March 13, 2026

The Honorable President and Members
of the Baltimore City Council
Attn: Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 25-0126 – Accessibility in City Programs, Services, and Activities

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 25-0126 for form and legal sufficiency. The bill implements Title II of the Americans with Disabilities Act of 1990 (“ADA”) and the federal regulations implementing it and establishes 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. 42 U.S.C. § 12312; 28 C.F.R. 35. The bill also defines certain terms and generally relates to the City of Baltimore’s provision of public services to qualified individuals with a disability. The bill would take effect 180 days after it is enacted.

Federal and State Disability Laws

Several existing federal and state laws provide protection for individuals with disabilities. The ADA prohibits discrimination on the basis of disability in employment (Title I), State and local government (Title II), and public accommodations (Title III). Title II of the ADA applies to the City of Baltimore because it prohibits public entities from discriminating against qualified individuals on the basis of disability. 42 U.S.C. § 12132. A public entity is any state or local government and its agencies. 42 U.S.C. § 12131(1).

Additionally, Maryland law prohibits discrimination against individuals with disabilities by state or local governments. Md. Code, State Gov’t, § 20-901. State law also requires that “if an employee requests a reasonable accommodation, the employer shall explore with the employee all possible means of providing the reasonable accommodation.” Md. Code, State Gov’t § 20-609 (d). Like federal law, a reasonable accommodation must not impose an undue hardship on the employer. Md. Code, State Gov’t § 20-609 (a)(2).

The City has the authority to legislate in this area, subject to federal and state law. City Charter, Art. II, §§ (11), (27), (47). The City is not preempted from enacting local laws that expand protection for individuals with disabilities by federal or state law. 42 U.S.C. § 12201(b); *see also*

Worton Creek Marina, LLC v. Claggett, 381 Md. 499, 513 (2004)(discussing preemption); *City of Baltimore v. Sitnick*, 254 Md. 303, 317 (1969) (“The fact that an ordinance enlarges upon the provisions of a statute by requiring more than the statute requires creates no conflict therewith, unless the statute limits the requirement for all cases to its own prescription.”). City Council Bill 25-0126 codifies many of the requirements of Title II of the ADA, proactively provides communication services at City Council meetings and hearings, and ensures public access to agency accessibility plans and ADA Coordinator contact information.

Required Amendments

Amendments are needed to citations, definitions, and the effective communication and digital accessibility provisions to align with ADA requirements for local governments under Title II. Amendments are also needed to avoid a problem with the Contracts Clause of the federal Constitution and to comply with the Charter’s requirements for hiring of employees and workplace conditions. The process for making complaints about discrimination and resolutions of them also need amending.

Definitions

There are two incorrect citations in Section 4-1 of City Council Bill 25-0126. In Section 4-1(F), strike “28 CFR 35.130” and replace it with “42 U.S.C. § 12102”. In § 4-1(G), strike “The ADA, 42 U.S.C. § 12101(b)” and replace it with “28 CFR 35.130”. Federal regulations for the Web Content Accessibility Guidelines are outlined in 28 CFR § 35.200(b). Section 4-1(N) should include “as incorporated by reference in 28 CFR 35.200” after “...usable by individuals with disabilities.”

Effective Communication

Federal law extends effective communication protections to individuals with disabilities as well as companions of individuals with disabilities. 28 CFR 35.160(a). The language in Section 4-5 (A) of City Council Bill 25-0126 should be amended to include “companions”, and the definition of companions should be included in the definition section of the bill. The federal regulations define “companions” as “a family member, friend, or associate of an individual seeking access to a service, program, or activity of a public entity, who, along with such individual, is an appropriate person with whom the public entity should communicate.” 28 CFR 35.160(a)(2).

Federal regulations require public entities to “furnish appropriate auxiliary aids and services where necessary to afford qualified individuals with disabilities, including applicants, participants, companions, and members of the public, an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity of a public entity.” 28 CFR 35.160(b)(1). “The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication used by the individual; the nature, length, and complexity of the communication involved; and the context in which the communication is taking place.” 28 CFR 35.160(b)(2). The language in City Council Bill 25-0126 explicitly names several methods for effective communication; however, to ensure compliance with the ADA, the language of Section

4-5(B) should be amended to reflect the City's obligation to provide auxiliary aids and services based on the needs of the individual.

Digital Accessibility Policy

City Council Bill 25-0126 takes effect 180 days after it is enacted. However, federal law requires the City of Baltimore to comply with federal regulations on website/mobile application accessibility by April 24, 2026. *See* 28 CFR § 35.200(b)(1). The Law Department recommends amending the effective date for City Council Bill 25-0126 to April 25, 2026, or earlier to meet the federal deadline for digital accessibility compliance. Alternatively, that section of the bill could have that enactment date and the rest of the bill could have a later enactment.

Hiring

The City Charter gives the City's Board of Estimates power to "adopt such rules and regulations as it may deem appropriate to insure, so far as practicable, like working conditions for the employees in the several municipal agencies" and to approve collective bargaining agreements with labor unions. City Charter, Art. VI, § 12. The Charter also provides that the City's Civil Service Commission promulgates rules for the Human Resources Department, which is tasked with promoting merit and fitness in City employment. City Charter, Art. VII, §§ 95, 96.

In addition, the City is unable to enact a law that would impact existing contracts, especially contracts to which it is a party. U.S. Constit., Art I, s 10, cl. 1; *Garris v. Hanover Insurance Company*, 630 F.2d 1001, 1004 (4th Cir. 1980) (stricter scrutiny applies when the government enacts a law that impacts contracts to which it is a party).

For these reasons, in Section 4-3 of the bill, after "practices" in line 14 on page 4, the following language should be inserted: "in accordance with any applicable rules promulgated by the Board of Estimates and the Civil Service Commission and without violating any law or terms of any contract to which the City is a party, including a collective bargaining agreement."

Section 4-6 of the bill should also be amended to prevent a contracts clause problem by inserting "provided however that this section is applicable prospectively and is not to impact any existing contract or agreement" after the word "party" in line 5 on page 6.

Grievance Procedure

City agencies are unable to make regulations that command performance from other agencies but rather can only create regulations that impact their own agency operations. City Charter, Art. VII, § 1(b). The grievance procedure needs to be detailed in this bill so that it mandates that any agency alleged to be involved in the discrimination that is the subject of the complaint respond to the complaint. In addition, the complaint would be against the Mayor and City Council as the legal entity, and not its component agencies. City Charter, Art. 1, § 1. Amendments that accomplish this would be: delete "against any agency" in line 13 on page 6 then in line 15 on the same page, delete "an" and substitute "the ADA Coordinator of any" and then in that same line before the semicolon insert "alleged to be involved in the discrimination" and then in line 16 on that same page delete

“investigation of” and substitute “the timely response to” and in that same line delete “an” and substitute “the” and then after “agency” in that same line insert “ADA Coordinator of any agency alleged to be involved in the discrimination” and then delete the semicolon in line 16 through line 20 on that page and substitute a period.

Conforming Changes

Section 4-5(c) should be amended to clarify that the open captions are required when the meeting is being broadcast. This can be accomplished by inserting “if the meeting is being broadcast, then” before the word “open” in line 21 on page 5.

Section 4-7 concerning service animals should be amended to make clear that the animals are permitted to accompany individuals with disabilities by adding “while accompanying the individual with a disability” after “allowed” in line 9 on page 6.

Subject to the required amendments, the Law Department approves the bill for form and legal sufficiency.

Sincerely,



Desiree Luckey
Assistant Solicitor

cc: Ebony Thompson, City Solicitor
Hilary Ruley, Chief Solicitor, General Counsel Division
Jeff Hochstetler, Chief Solicitor
Ashlea Brown, Chief Solicitor
Michelle Toth, Assistant Solicitor

**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

1 AN ORDINANCE concerning

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

3 FOR the purpose of implementing subtitle A of title II of the Americans with Disabilities Act of
4 1990, as amended, and 28 CFR Part 35 {"Nondiscrimination on the Basis of Disability in
5 State and Local Government Services"}; establishing the mandate that no qualified individual
6 with a disability shall, on the basis of disability, be excluded from participation in or be
7 denied the benefits of the services, programs, or activities of a City agency, or be subjected to
8 discrimination by a City agency; defining certain terms; establishing a special effective date;
9 and generally relating to the provision of public services to qualified individuals with a
10 disability.

11 BY adding

12 Article 1 - Mayor, City Council, and Municipal Agencies
13 Sections 4-1 to 4-11 to be under the new subtitle designation,
14 "Subtitle 4. Accessibility in City Programs, Services, and Activities"
15 Baltimore City Code
16 (Edition 2000)

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

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

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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).

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1 (H) *MAYOR’S OFFICE OF IMMIGRANT AFFAIRS.*

2 “MAYOR’S OFFICE OF IMMIGRANT AFFAIRS” OR “MIMA” MEANS THE MAYOR’S OFFICE
3 OF IMMIGRANT AFFAIRS AS ESTABLISHED IN § 54-2 {“OFFICE ESTABLISHED”} OF THIS
4 ARTICLE 1, OR ITS SUCCESSOR.

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

6 “OFFICE OF EQUITY AND CIVIL RIGHTS” OR “OECR” MEANS THE BALTIMORE CITY
7 OFFICE OF EQUITY AND CIVIL RIGHTS, OR ITS SUCCESSOR.

8 (J) *QUALIFIED INDIVIDUAL WITH A DISABILITY.*

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

15 (K) *REASONABLE ACCOMMODATION.*

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

19 (L) *REHABILITATION ACT.*

20 “REHABILITATION ACT” MEANS THE FEDERAL REHABILITATION ACT OF 1973, AS
21 AMENDED, AND THE FEDERAL REGULATIONS PROMULGATED PURSUANT THERETO, AS
22 AMENDED.

23 (M) *UNDUE BURDEN.*

24 “UNDUE BURDEN” MEANS THERE IS A SIGNIFICANT DIFFICULTY OR EXPENSE INCURRED BY
25 AN AGENCY IN PROVIDING A REQUESTED ACCOMMODATION.

26 (N) *WEB CONTENT ACCESSIBILITY GUIDELINES.*

27 “WEB CONTENT ACCESSIBILITY GUIDELINES” MEANS THE TECHNICAL STANDARD
28 DEVELOPED BY THE WORLD WIDE WEB CONSORTIUM THAT SETS MEASURABLE
29 REQUIREMENTS FOR MAKING DIGITAL INFORMATION AND FUNCTIONS USABLE BY
30 INDIVIDUALS WITH DISABILITIES.

31 **§ 4-2. NONDISCRIMINATION ON THE BASIS OF DISABILITY IN GOVERNMENT SERVICES.**

32 AN AGENCY MAY NOT VIOLATE 28 CFR PART 35 {“NONDISCRIMINATION ON THE BASIS OF
33 DISABILITY IN STATE AND LOCAL GOVERNMENT SERVICES”} BY, ON THE BASIS OF AN
34 INDIVIDUAL’S DISABILITY:

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

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

5 (3) DISCRIMINATING AGAINST THE INDIVIDUAL.

6 **§ 4-3. EMPLOYMENT.**

7 (A) *IN GENERAL.*

8 AN AGENCY MAY NOT DISCRIMINATE, ON THE BASIS OF AN INDIVIDUAL'S DISABILITY, IN
9 HIRING OR THROUGH EMPLOYMENT PRACTICES.

10 (B) *HIRING AND EMPLOYMENT PRACTICES; PREFERENCE.*

11 CONSISTENT WITH THE REQUIREMENTS AND OBLIGATIONS TO PROTECTED CLASSES UNDER
12 FEDERAL OR STATE LAW, AN AGENCY SHALL TAKE INTO CONSIDERATION OR GIVE
13 PREFERENCE TO AN INDIVIDUAL'S STATUS AS A PERSON WITH A DISABILITY IN ITS HIRING
14 AND EMPLOYMENT PRACTICES.

15 **§ 4-4. REASONABLE ACCOMMODATION.**

16 (A) *IN GENERAL.*

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

21 (B) *LIMITATION ON REQUIREMENT TO PROVIDE ACCOMMODATION.*

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

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

26 (2) IMPOSE AN UNDUE BURDEN ON THE AGENCY.

27 (C) *PROHIBITION ON FEE FOR ACCOMMODATION.*

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

30 (1) AN AUXILIARY AID;

31 (2) AN AUXILIARY SERVICE; OR

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1 (3) A REASONABLE ACCOMMODATION.

2 **§ 4-5. EFFECTIVE COMMUNICATION POLICY.**

3 (A) *IN GENERAL.*

4 AN AGENCY SHALL, UPON REQUEST, PROVIDE AUXILIARY AIDS AND SERVICES TO AN
5 QUALIFIED INDIVIDUAL WITH A DISABILITY SO THE INDIVIDUAL MAY PARTICIPATE
6 EQUALLY IN A PROGRAM, SERVICE, OR ACTIVITY.

7 (B) *COMMUNICATION AIDS AND SERVICES.*

8 TO COMPLY WITH SUBSECTION (A) OF THIS SECTION, AN AGENCY SHALL PROVIDE AN
9 APPROPRIATE AID OR SERVICE TO MAKE INFORMATION AND COMMUNICATIONS
10 ACCESSIBLE TO INDIVIDUALS WHO HAVE SPEECH, HEARING, OR VISION IMPAIRMENTS,
11 INCLUDING:

12 (1) A QUALIFIED SIGN LANGUAGE INTERPRETER;

13 (2) AN INTERPRETER WHO IS A DEAF OR HARD OF HEARING INDIVIDUAL THAT HAS
14 DEMONSTRATED VAST KNOWLEDGE AND UNDERSTANDING OF INTERPRETING,
15 DEAFNESS, THE DEAF COMMUNITY, AND DEAF CULTURE.; AND

16 (3) DOCUMENTS IN BRAILLE.

17 (C) *APPLICABILITY TO THE CITY COUNCIL.*

18 EACH MEETING OF THE CITY COUNCIL, INCLUDING COMMITTEE MEETINGS, SHALL
19 INCLUDE:

20 (1) A QUALIFIED SIGN LANGUAGE INTERPRETER; AND

21 (2) OPEN CAPTIONS THAT DISPLAY SPOKEN WORDS, SOUND EFFECTS, AND OTHER
22 MEANINGFUL AUDIO INFORMATION AS VISIBLE TEXT THAT APPEARS DIRECTLY ON A
23 SCREEN OR DISPLAY AND CANNOT BE TURNED OFF.

24 **§ 4-6. DIGITAL ACCESSIBILITY POLICY.**

25 (A) *IN GENERAL.*

26 EVERY PUBLICLY AVAILABLE DIGITAL SYSTEM, INCLUDING ANY SITE OR APPLICATION
27 THAT PROVIDES INFORMATION OR SERVICES THROUGH THE INTERNET, SHALL MEET THE
28 ACCESSIBILITY REQUIREMENTS SET OUT IN THE WEB CONTENT ACCESSIBILITY
29 GUIDELINES VERSION 2.1, LEVEL AA, OR ANY LATER VERSION OR EQUIVALENT STANDARD
30 ADOPTED BY THE STATE OR THE FEDERAL GOVERNMENT.

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1 (B) *APPLICABILITY.*

2 SUBSECTION (A) OF THIS SECTION APPLIES TO ALL SUCH SYSTEMS DEVELOPED,
3 PURCHASED, OR MAINTAINED BY THE CITY, AS WELL AS THOSE DEVELOPED, PURCHASED,
4 OR MAINTAINED FOR CITY USE UNDER CONTRACT OR OTHER AGREEMENT WITH A THIRD
5 PARTY.

6 **§ 4-7. SERVICE ANIMAL POLICY.**

7 A SERVICE ANIMAL, DEFINED AS AN ANIMAL THAT IS INDIVIDUALLY TRAINED TO DO WORK OR
8 PERFORM TASKS FOR AN INDIVIDUAL WITH A DISABILITY, IS PERMITTED IN A CITY OWNED,
9 OPERATED, OR MANAGED SPACE WHERE THE PUBLIC IS ALLOWED.

10 **§ 4-8. GRIEVANCE PROCEDURE.**

11 (A) *IN GENERAL.*

12 OECR SHALL PROMULGATE RULES AND REGULATIONS ESTABLISHING PROCEDURES:

- 13 (1) FOR AN INDIVIDUAL TO FILE A COMPLAINT AGAINST AN AGENCY FOR PERCEIVED
14 DISCRIMINATION ON THE BASIS OF DISABILITY;
- 15 (2) FOR RECEIPT AND REVIEW OF A COMPLAINT BY AN AGENCY;
- 16 (3) FOR INVESTIGATION OF A COMPLAINT BY AN AGENCY; AND
- 17 (4) FOR RESOLUTION OF A COMPLAINT.

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

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

21 **§ 4-9. AGENCY RESPONSIBILITIES.**

22 (A) *ADA COORDINATOR.*

23 (1) *IN GENERAL.*

24 EACH AGENCY SHALL DESIGNATE, AND ACCORDINGLY COMPENSATE, AT LEAST 1
25 EMPLOYEE TO BE THE “ADA COORDINATOR” FOR THE AGENCY.

26 (2) *DUTIES.*

27 AN ADA COORDINATOR SHALL:

- 28 (1) DEVELOP AN ACCESSIBILITY PLAN FOR THE AGENCY AS REQUIRED UNDER
29 SUBSECTION (B) OF THIS SECTION;

Council Bill 25-0126

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

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

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

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

8 (B) *AGENCY ACCESSIBILITY PLANS.*

9 (1) *IN GENERAL.*

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

12 (2) *CONTENTS.*

13 AN ACCESSIBILITY PLAN SHALL INCLUDE:

14 (I) THE MODE:

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

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

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

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

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

24 (A) THE ACCESSIBILITY PLAN;

25 (B) THE PROVISIONS OF THIS SUBTITLE; AND

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

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

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1 (3) *PUBLICATION; SUBMISSION.*

2 AN AGENCY SHALL:

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

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

5 (4) *BIANNUAL UPDATE.*

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

8 (C) *REPORTING REQUIREMENTS.*

9 (1) *IN GENERAL.*

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

12 (2) *CONTENTS.*

13 THE REPORT REQUIRED UNDER THIS SUBSECTION SHALL INCLUDE:

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

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

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

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

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

24 **§ 4-10. ADMINISTRATIVE SUPPORT FOR AGENCIES.**

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

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

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

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1 **§ 4-11. RULES AND REGULATIONS.**

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

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