



Legislation Text

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210364

ALD. DIMITRIJEVIC

An ordinance relating to special privilege fees for right-of-way obstructions to accommodate persons with disabilities.

245-12-6 rc

This ordinance eliminates special privilege fees when upgrades encroaching on the public right-of-way are constructed to accommodate persons with disabilities in compliance with the Americans with Disabilities Act of 1990.

Whereas, According to the Center for Disease Control and Prevention, one in four Wisconsinites, or 26%, identifies as a person with disabilities; and

Whereas, Providing an accessible entrance to businesses, housed in existing buildings pre-dating the Americans with Disabilities Act of 1990 (ADA), to accommodate persons with disabilities promotes equal access for all persons and helps businesses capture revenue dollars spent by customers with disabilities (according to the American Institute for Research, the spending power of the Wisconsin disabled community is greater than \$7.7 billion); and

Whereas, The currently-adopted building codes provide guidance to businesses related to installing ramps and lifts that sufficiently provide customers with disabilities equal access to goods and services; and

Whereas, The City assesses an annual special privilege fee to businesses that install wheelchair ramps and lifts that encroach on the public right-of-way, which discourages business owners from providing accessible entrances for customers with disabilities; now, therefore

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 245-12-6 of the code is repealed and recreated to read:

245-12. Special Privileges.

6. FIXED CHARGE EXEMPTIONS. No special privilege fee shall be charged for an accessibility project constructed to accommodate persons with disabilities and that comply with the Americans with Disabilities Act of 1990 and the currently-adopted building codes.

APPROVED AS TO FORM

Legislative Reference Bureau Date:
IT IS OUR OPINION THAT THE ORDINANCE IS LEGAL

AND ENFORCEABLE

Office of the City Attorney
Date:

LRB176756-1 6/16/2021