

ORDINANCE NO. 1491

AN ORDINANCE ADDING A NEW CHAPTER 2.246 TO THE OAK HARBOR MUNICIPAL CODE PROVIDING FOR AN ADA REVIEW COMMITTEE FOR THE CITY OF OAK HARBOR

WHEREAS, it is appropriate and necessary to assure that persons with disabilities are capable of using City services and facilities; now, therefore:

THE CITY COUNCIL OF THE CITY OF OAK HARBOR do ordain as follows:

Section One. There is hereby established a new Chapter 2.246 entitled "ADA Review Committee" under Title Two of the Oak Harbor Municipal Code which shall have under this ordinance the following listed sections:

**Chapter 2.246
ADA Review Committee**

Sections:

2.246.010 Full Participation
2.246.020 ADA Review Committee
2.246.030 Tasks

This Chapter may be amended, added to or deleted from without reference to this section.

Section Two. There is hereby added a new Section 2.246.010 entitled "Full Participation" to the Oak Harbor Municipal Code which shall read as follows:

2.246.010 Full Participation. The Americans with Disabilities Act (ADA), enacted on July 26, 1990, provides comprehensive rights and protections to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications. The goal of the ADA is to assure equality of opportunity, full participation, independent living and economic self-sufficiency. The ADA prohibits all state and local governments and most private businesses from discriminating on the basis of disability.

The City Council finds that to assist in assuring compliance and to work toward full participation by persons with disabilities, it is appropriate to consult with persons with disabilities as to what will work best to provide for full participation for all persons.

Section Three. There is hereby added a new Section 2.246.020 entitled "ADA Review Committee" to the Oak Harbor Municipal Code which shall read as follows:

2.246.020 ADA Review Committee.

(1) Establishment of review committee. There is hereby instituted a committee of persons with disabilities and others who work to promote full participation by persons with

disabilities to review City programs for accessibility which shall consist of up to eleven (11) members, the majority of which will have disabilities. The members shall be appointed by the Mayor with the approval of the City Council.

- (2) Terms. Members shall serve three (3) year terms; provided, that for the first members appointed three (3) members will be appointed for one (1) year terms; three (3) members shall be appointed for two (2) year terms; and three (3) members shall be appointed for full five (5) year terms. Thereafter, except for filling vacancies, the terms for all of the members shall be for three (3) years.
- (3) Rules of Procedure. The Committee shall follow rules of procedure established by the City Council for committees, commissions and boards. The Committee may establish additional rules of procedure so long as the same are not in conflict with state law and city code or ordinances.
- (4) Chairperson. The committee members shall elect one (1) of their members as chairperson who shall serve one (1) year.
- (5) Staff Assistance. The Mayor shall appoint such staff assistance as she or he deems appropriate to meet the obligations of this chapter.
- (6) Meeting Times. The committee shall set a regular meeting time and establish procedures to set its agenda and assure public notice of its meetings.

Section Four. There is hereby added a new section 2.246.030 entitled "Tasks" to the Oak Harbor Municipal Code which shall read as follows:

2.246.030 Tasks.

- (1) Review Programs. The Committee shall meet regularly with the City Attorney and the ADA Coordinator to review employment practices, the various programs and facilities of the City to assist with developing compliance with State and Federal laws and to assist in improving accessibility by persons with disabilities to employment, programs and facilities.
- (2) Report. The Committee shall make a yearly report to the City Council on its activities and accessibility issues within the City.
- (3) Other assignments. The Mayor may refer such other items to the ADA committee for review such as issues of accommodation for employees with disabilities.

Section Five. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances is not affected.

Section Six. Effective Date. This Ordinance shall be in full force and effect five days after its passage and publication as required by law.

PASSED by the City Council and approved by its Mayor this _____ day of _____, 2007.

THE CITY OF OAK HARBOR

Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

Published: _____