



Subject:	Special Event Access For People with Disabilities	Effective Date: October 15, 2001 Revised: October 31, 2011
Reference:	A.I. 123, The Americans with Disabilities Act of 1990 (ADA)	Responsible Agency: Office of the City Administrator

I. PURPOSE

The purpose of this policy is to establish City of Oakland procedure, responsibility, and accountability regarding compliance of City special events and City facilities rental programs with the Americans with Disabilities Act of 1990 (ADA), as amended in 2008.

II. POLICY

It is the policy of the City of Oakland to make its special events accessible to people with disabilities in accordance with ADA requirements. Special events include, but are not limited to, indoor and outdoor concerts, plays, festivals, fairs, town hall meetings, luncheons, ceremonies, and other activities to which the public is invited, whether held on city property or at other City sites. A City associate who coordinates a city event shall be responsible for ensuring that the event complies with this policy.

A City associate who processes facility rentals shall be responsible for informing applicants of any special facility rules and procedures laid out under this policy. All written agreements allowing outside organizations to use City facilities for special events must include Contract Schedule C-2: Declaration of ADA Compliance for Facility Rentals. Contract Schedule C-2 shall be used in lieu of Contract Schedule C-1 when executing contracts for City special events, such as the annual Art & Soul festival.

City sponsorship or other support for special events organized by others shall be provided under the condition that such events comply with ADA requirements. This policy shall be provided to any organization receiving City sponsorship or other support for special events.

III. PROCEDURES

Facility Access. All City special events shall be accessible to persons who use wheelchair or have other mobility impairments as required by the ADA and codified by the U.S. Department of Justice.

- a. Accessible Route. An wheelchair accessible route(s) shall connect the wheelchair accessible entrance, seating spaces, restrooms, drinking fountains, pay telephones and other accessible amenities. Signs shall be provided directing persons to wheelchair accessible features if not all features of the facility are accessible, including entrances, wheelchair seating spaces,

restrooms, drinking fountains, and pay telephones. A wheelchair accessible stage shall be provided for any event where individuals who use wheelchairs or other power driven mobility devices, or who are otherwise unable to climb stairs, will perform, speak, etc.

- b. Clear Path of Travel. The accessible route(s) must be kept clear of equipment and patrons. Event organizers must ensure that these routes are monitored during events to prevent obstructions. Appropriate signage shall be posted at each wheelchair access ramp to identify it a wheelchair ramp and to indicate that standing on the ramp is prohibited.
- c. Parking. If the facility provides off-street parking for the public, then disabled parking spaces shall be provided.
- d. Entry. The facility shall have at least one wheelchair accessible entrance. An uninterrupted path of travel shall be provided for wheelchair users from disabled parking spaces and (nearest) public transit stops to the accessible entrance(s).
- e. Restrooms. Wheelchair accessible restrooms shall be provided when permanent or temporary restroom facilities are provided to the public.
- f. Drinking Fountains. If drinking fountains are provided, then accessible drinking fountains shall be provided.
- g. Pay Telephones. If pay telephones are provided, then accessible pay telephones shall be provided.
- h. Wheelchair Seating. In facilities with fixed seating, seating space for wheelchair users shall be provided in accordance with applicable standards. At least one companion fixed seat shall be provided next to each required wheelchair space. Companion seats shall be located to provide shoulder alignment with adjacent wheelchair spaces.

In facilities with movable seating, wheelchair seating spaces shall be defined and reserved in a comparable way to facilities with fixed seating. At least one companion seat shall be provided next to each wheelchair space. Companion seats shall be located to provide shoulder alignment with adjacent wheelchair spaces.

- i. Designated Aisle Seats. In facilities with fixed seating, aisle seats shall offer folding or retractable armrests in accordance with ADA requirements. Designated aisle seats shall be those located closest to accessible routes. These seats shall be identified by a sign or marker designating their use for individuals with disabilities.
- j. Other Accessible Amenities. (Reserved)

Communications Access. City event organizers shall ensure their communications with people with disabilities are as effective as their communications with others. City event organizers shall provide auxiliary aids and services for individuals with vision, hearing and/or speech impediments as required by the ADA and codified by the U.S. Department of Justice.

- a. American Sign Language (ASL) interpreters. ASL interpreters shall be routinely provided for all City special events with an expected attendance of 500 or more. Sign language interpreters shall be provided upon advance request for all City events with an expected attendance of 499 or less. All special events advertising shall announce if interpreters are prearranged or if interpreters will be provided upon request (see Item c. below). Seats shall be reserved for persons who speak ASL and their companions directly opposite the interpreter. At least 10 such seats shall be reserved for special events with an expected attendance of 500 or more.

The ADA Programs Division administers the Auxiliary Aids and Services Program (AASP), which covers the cost of ASL interpreting and certain other accommodations for qualified individuals with disabilities seeking to participate in special meetings and events offered by the City to the general public. The AASP does not cover the cost of accommodations for special meetings and events with an expected audience of 300 or more, unless the meeting or event is offered free to the general public.

- b. Assistive Listening System. An assistive listening system shall be provided upon request for all City events. An assistive listening system is a device such as a loop or FM transmitter that gives effective access to the amplification system for people with hearing impairments. New or renovated assembly areas with fixed seating where audible communications are integral to the use of the space must have a permanently installed assistive listening system if it accommodates at least 50 persons, or if it has audio-amplification systems.
- c. Event Announcements. All flyers, posters and media announcements shall include: 1) a statement that the event is accessible to wheelchair users; 2) a statement indicating either that American Sign Language (ASL) interpreters will be at the event or will be provided upon request and 3) a procedure for requesting additional disability related information and/or accommodations.

In addition, if event materials include a contact phone number, either an e-mail address or a TDD (Telecommunications Device for the Deaf) number shall be provided to ensure effective communication with people who are deaf or have hearing or speech impairments. The Telecommunications Relay Service, 7-1-1, may also be advertised. The relay service allows people who are deaf or have hearing or speech impairments to converse with other persons over the phone

through an operator. These calls must be accepted and handled in the same manner as any other telephone call.

Minimally, the following accessibility language should be used on all event announcements: *(Location) is wheelchair accessible. ASL interpreters are provided. To request any other disability accommodations please contact (name) at (voice number), (TTY number or 7-1-1) or (email) at least three business days in advance. Please refrain from wearing scented products to this event. —OR— (Location) is wheelchair accessible. To request a sign language interpreter or any other disability accommodation, please contact (name) at (voice number), (TTY number or 7-1-1) or (email) at least three business days in advance. Please refrain from wearing scented products to this event.*

- d. **Alternative Format Materials.** All printed material distributed by event staff shall be made available in alternative formats upon request. Alternative formats include large print (at least 16-point font size), audio translation (CD, cassette, etc.), Braille, and computer file (on diskette or transmitted electronically). Funding for Braille and audio translation of print materials is available through the Auxiliary Aids and Services Program.
- e. **Captioning.** All films and videos shown at City special events shall have English subtitles.

Assistance for People with Disabilities. At events with an expected attendance of more than 500, a “disability assistance” table or booth shall be established and staffed by at least one person who is trained to assist persons with disabilities. Event monitors or other persons designated to provide assistance at “disability assistance” tables or booths shall be trained to: 1) provide information about accessible seating areas and accessible routes of travel for wheelchair users and other individuals with disabilities; 2) in situations of severe crowding, offer to accompany wheelchair users and other individuals with disabilities to accessible seating areas; 3) provide printed information about event programs with ASL interpreting, including the title, time and location of such programs; 4) when appropriate, use short notes to communicate with persons who are deaf or have hearing impairments; 5) provide information about medical assistance available at the event and, if no such assistance is available, the location of the nearest emergency medical facility. In addition, all trainees shall receive a copy of ‘Disability Etiquette Guidelines,’ available through the ADA Programs Division.

Ticketing. All required accessible seating for ticketed events, defined as wheelchair spaces and companion seats, shall comply with ticketing requirements contained in the ADA. City and contractor ticketing policies, practices and procedures shall ensure that individuals with disabilities have an equal opportunity to purchase tickets. For each ticket for a wheelchair space purchased by an qualified individual, or a third-party purchasing such a ticket at his or her request, the City and its contractors shall make available for purchase 3 additional tickets for seats in the same row that are contiguous with the wheelchair space, provided that at the time of purchase there are three such seats available. When 3

contiguous seats are not available, the closets available seats shall be offered. For more information go to: www.ada.gov

ADDITIONAL RULES AND PROCEDURES FOR FRANK OGAWA PLAZA

Path of Travel for Frank Ogawa Plaza

Frank Ogawa Plaza contains three wheelchair ramps, two in front of City Hall and one near the Broadway entrance to the Plaza. One of the ramps in front of City Hall may be used for stages or sound equipment, as long as the remaining ramps are kept clear of obstructions. Ramps shall be monitored and a 68" high sign shall be posted at each ramp run with a statement such as: "WHEELCHAIR ACCESS RAMP—KEEP CLEAR. NO STANDING. NO EQUIPMENT." Signs are available through the Building Management Office at 238-3219.

Wheelchair Seating Areas for Frank Ogawa Plaza

When a crowd of 400 or less is expected, 3 wheelchair-seating areas shall be established with signs and barricades as follows:

- One wheelchair seating area to accommodate at least 2 wheelchair users and their companions is to be established at the top of the concrete seating, center stage.
- Two wheelchair-seating areas, each to accommodate at least 2 wheelchair users and their companions, is to be established at the lower seating area, one stage left and one stage right.

When a crowd of more than 400 is expected, 3 wheelchair-seating areas shall be established with signs and barricades as follows:

- One wheelchair seating area to accommodate at least 3 wheelchair users and their companions is to be established at the top of the concrete seating, center stage.
- Two wheelchair-seating areas, each to accommodate at least 3 wheelchair users and their companions, is to be established at the lower seating area, one stage left and one stage right.

ADDITIONAL RULES AND PROCEDURES FOR WOODMINSTER AMPHITHEATER

- a. **Permanent ADA Facilities.** ADA facilities are clustered in the rear of the Woodminster Amphitheater and include wheelchair accessible seating areas, companion seats, and restrooms. These ADA features are reached via the Upper (Main) Entrance. While frail seniors and persons with disabilities may choose to purchase tickets and occupy any seat in the house, event producers shall not advertise or offer front-of-house seating as accessible to persons who can not climb stairs. This may include persons who use wheelchairs, or other power driven mobility devices, and other persons with mobility impairments. (Certain individuals who use wheelchairs or other power driven mobility devices can walk short distances and climb a few steps.) Persons entering through the Lower Entrance shall be advised that no interior access ramp is provided and that they will be required to climb stairs to access any seat from this entrance.

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- b. Temporary ADA Facilities. Event producers shall provide temporary ADA compliant restroom facilities for all events, except graduation ceremonies. These portable accessible restrooms shall be located adjacent to the Lower Entrance Area and afford users a safe, accessible path of travel from the Lower Entrance to the portable restroom ramp / door.
- c. Courtesy Seats. For all events, the following seats shall be held for frail seniors and other individuals with mobility impairments: Front V.I.P. Section 3, First Row, Seats 10-14; Front Section 1, Row A, Seats 1-5 and 13-15; and Rear Center Sections 1, 2, and 3, Rows R & RR (all seats). Frail seniors and other individuals with limited mobility shall not be required to purchase or sit in these seats and may choose to purchase or sit in any available seat. Interested persons shall be advised prior to purchase that no interior access ramp is provided and that they will be required to climb stairs to access Courtesy Seats.

For events with assigned seat ticketing, Courtesy Seats shall be released for purchase by the general audience after all other seats are sold. For general admission ticketing, where seats are unassigned, Courtesy Seats shall be released for general seating once all other seats are occupied. Event producers shall announce the availability of Courtesy Seats in all event advertising and as part of ticketing / seating instructions.

- d. Courtesy Shuttle. Due to the rustic and hilly nature of parking areas and footpaths serving the Woodminster Amphitheater, event producers should consider providing transport from designated parking areas to the Upper (Main) Entrance for frail seniors and persons with disabilities. Any courtesy shuttle service must be equipped for wheelchair transport. All event advertising and ticketing information shall include key information about available transport services, such as shuttle stops and hours of operation.
- e. Event Announcements. Minimally, the following accessibility language should be used on all event announcements:

ADA Information. Woodminster Amphitheater is a rustic facility located deep within Oakland's Joaquin Miller Park. Parking lots are located a considerable distance from the main entrance. (If provided) A Courtesy Shuttle is available to wheelchair users, frail seniors, and other persons with limited mobility. (Insert hours of operation, shuttle stops, and other information.)

Wheelchair accessible seats, and courtesy seats for frail seniors and other persons with limited mobility, are available. (Insert instructions here for reserving wheelchair accessible or courtesy seats.) To request a sign language interpreter or any other disability accommodations please contact (name) at (voice number), (TTY number or 7-1-1) or (email) at least three business days in advance. Please refrain from wearing scented products to this event.

Please address any questions regarding this policy to the ADA Programs Manager in the City Administrator's Office at 238-4754 (voice) or 238-2007 (TTY).


Scott P. Johnson
Assistant City Administrator

DECLARATION OF ADA COMPLIANCE FOR FACILITY USE AND OTHER SPECIAL EVENTS AGREEMENTS

The Americans with Disabilities Act (ADA) requires that state and local government and private entities make public programs, activities and services accessible to people with disabilities. The City of Oakland (City) requires that all public events, programs, and services provided at City-owned buildings and facilities be conducted in compliance with the ADA. The City further requires that all outside agencies verify ADA compliance by signing this Declaration of ADA Compliance for professional services, facility use, and other agreements that concern the delivery of special events to the public.

_____ certifies that it will comply with the ADA and the City’s ADA Special Events Policy by:

- A. Adopting policies, practices and procedures that ensure non-discrimination and equal access for people with disabilities to public events, programs, activities and services provided at City facilities;
- B. Providing public events, programs, activities and services at fully accessible facilities as defined by U.S. Department of Justice ADA regulations;
- C. Making reasonable modifications in public events, programs, activities and services when necessary to ensure equal access to individuals with disabilities, unless fundamental alteration in the nature of the program would result;
- D. Adhering to any special disability access policies, practices and procedures set out by the City ADA Special Events Policy for use of City facilities and the delivery of special events to the public;
- E. Ensuring effective communications with persons with disabilities through provision of auxiliary aids and services, such as American Sign Language interpreting services; and
- F. When providing transportation to the public, by providing equivalent accessible transportation to people with disabilities.

The undersigned authorized representative hereby obligates the applicant to the above stated conditions. I understand that failure to comply with these conditions may constitute a breach of the subject agreement with the City.

Agency Name

Signature of Authorized Representative

Address

Type or Print Name

Phone

Date

Type or Print Title