



CITY of Oakland
ADMINISTRATIVE BULLETIN

Subject:	Special Event Access For People with Disabilities	Effective Date: October 15, 2001 Revised: October 31, 2011 Revised: June 30, 2013
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, as published by the U.S. Department of Justice (DOJ) in its final regulations implementing the ADA for Title II (state and local government services) and Title III (public accommodations and commercial facilities) on September 15, 2010, in the Federal Register. These requirements, including the 2010 Standards for Accessible Design, can be found at www.ada.gov

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.** A 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. Signs. All new signs installed to conform to this policy shall be provided in accessible formats and locations per the 2010 Standards for Accessible Design.
- k. 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 of charge 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 five* 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.*

**Event producers may require a more extended advance notice period for an event that requires an interpreter to have completed advanced preparation for the event (e.g. read a theatrical script).*

- d. Alternative Format Materials. All printed material distributed by event staff shall be made available in alternative formats upon request. Alternative formats may include large print (at least 16-point font size), Braille, audio translation or computer file (CD, flash drive, transmitted electronically etc.). 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 designated location, such as a table or booth shall be established where individuals can visit or call to receive “disability assistance” from staff who are trained to assist persons with disabilities. Such disability assistance locations and/or call centers shall be staffed by individuals who are 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, Aisle Seats, and Courtesy 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 a 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 three 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 three contiguous seats are not available, the closest available seats shall be offered. When tickets are available for purchase on a paper form and/or website, the order form shall allow persons with disabilities to make open-ended accommodation requests.

See the U.S. DOJ's Ticket Sales publication for guidance on selling assigned seats for events such as concerts, plays, and sporting events:

http://www.ada.gov/ticketing_2010.htm

ADDITIONAL RULES AND PROCEDURES FOR FRANK H. OGAWA PLAZA

Path of Travel for Frank H. 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 H. Ogawa Plaza

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

- One wheelchair seating area to accommodate at least two 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 two wheelchair users and their companions, are to be established at the lower seating area, one stage left and one stage right.

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

- One wheelchair seating area to accommodate at least three 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 three wheelchair users and their companions, are to be established at the lower seating area, one stage left and one stage right.

ADDITIONAL RULES AND PROCEDURES FOR WOODMINSTER AMPHITHEATER

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 cannot 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, however, walk short distances and climb a few steps. These individuals shall not be prohibited from using the Lower Entrance and must be provided a place to safely stow their wheelchair, scooter, and/or other mobility aides (also see item “b” below).

- a. Temporary ADA Facilities. Event producers shall provide temporary ADA compliant restroom facilities that include at least one accessible toilet and at least one accessible hand-washing station 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.
- b. Courtesy Seats. For all events, a minimum of 25 lower section seats and 70 upper section seats shall be held for individuals with disabilities that limit their ability to ambulate, climb stairs, and/or stand up, and up to two of their companions. Courtesy Seats holds are in addition to Aisle Seats holds required by the ADA. Courtesy Seats shall be dispersed to provide a full variety of seating and ticketing options. An example of an acceptable seating arrangement: Front V.I.P. Section 3, First and Second Row, Seats 10-14; and Rear Left Three Sections, Rows R & RR (all seats). R and RR seats will be open to the general public 15 minutes prior to the start of the performance. 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 for the lower seating area and that they will be required to climb stairs to access all Courtesy Seats.

For events with general admission ticketing, admission procedures for the lower entrance shall be prominently posted adjacent to the Lower Entrance. These procedures shall also be posted at the Main Entrance, Box Office, and wherever tickets are sold. Ushers shall be provided at the Lower Entrance for all general

admission events to ensure that individuals with disabilities entering there are afforded a clear path of travel AFTER being fully informed that no interior access ramp is provided, that ticket holders will be required to climb stairs to access any seat, that only portable restroom facilities are available, and that no accessible concession stand is located at the lower level.

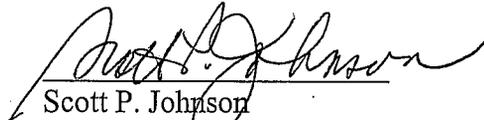
For events with assigned seat ticketing, Courtesy Seats shall be released for purchase by the general audience after all other seats are sold or at the start of the performance. For general admission ticketing, where seats are unassigned, Courtesy Seats shall be released for general seating once all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

- c. **Parking.** If Parking Lot 1 (lower lot) is full or otherwise closed to the general public, an attendant will provide access to the lot as a drop-off / pick-up area for persons with disabilities. For Sundays in the Redwoods and other large-scale general admission events, Parking Lot 4 will be set aside for state issued disabled persons parking license plate or (blue) placard holders. When Lot 4 is set aside for disabled persons, an attendant will be stationed there and signage directing qualified persons to Lot 4 will be posted on the Sanborn Drive approach.
- d. **Courtesy Shuttle.** Due to the rustic and hilly nature of parking areas and footpaths serving the Woodminster Amphitheater, the agency managing parking should consider providing transport from designated 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 five business days in advance. Please refrain from wearing scented products to this event.

Please address any questions regarding this policy to the ADA Programs Division Manager in the Public Works Agency at 510-238-5219 (voice), or 510-238-2007 (TTY), or adaprograms@oaklandnet.com



Scott P. Johnson
Assistant City Administrator