

# South Tahoe working on disabled plan – 20 years late

By Kathryn Reed

Twenty years after the federal government mandated accessibility to public buildings for the disabled, South Lake Tahoe has adopted a plan to make this a reality.



While the city believes it would take \$3.5 million to bring all of its facilities into compliance, the Tahoe Area Coordination Council for the Disabled believes that figure is closer to \$5 million.

The City Council this month approved a plan to get the city's facilities into compliance. It's not that the city has not done anything, it's that it needs to do more.

"Our newer buildings have been built to the code requirements enforced at that time, but the codes keep changing so upgrades are required as time passes," Dave Walker, city building official, wrote in his Sept. 4 staff report.

Compliance goes beyond the obvious accessibility for those with wheelchairs. It involves providing access to people with hearing, sight and other disabilities.

Besides wanting to accommodate locals and visitors with disabilities, the city also wants to protect itself against what many consider frivolous lawsuits.

Gov. Jerry Brown this week by signing Senate Bill 1186 is helping the city and small business owners in that regard. Even Sen. Dianne Feinstein, D-Calif., has weighed-in on this issue. She wrote a letter to Brown urging him to sign the

legislation.

“Numerous small businesses and chambers of commerce in California have expressed to me their concern about the increasing number of predatory lawsuits and coercive demand letters that have been filed against small business owners for technical noncompliance with the Americans with Disabilities Act (ADA). As you know, I proudly support the ADA, but after learning of the alarming rate of demand letters sent to “mom and pop shops” requesting settlements that ranged from \$5,000 to \$90,000, it became clear to me that reform in this area of the law is necessary,” Feinstein wrote.

The bill bans attorneys from sending demand letters for money, reduces statutory damages from \$4,000 to \$2,000 for defendants who correct violations within 30 days of being served the complaint and prevent stacking of multiple claims used to increase statutory damages.

South Lake Tahoe businesses are not immune to these types of lawsuits and will be aided by the state legislation.

The city will be educating all staff about their responsibility to the disabled. Barriers to the disabled will be removed through the capital improvement program.

The first course of action is accessible parking at all public facilities.

“Over the course of eight years we hope to have path of travel to our building, meeting rooms, restrooms, recreational features and sidewalks made compliant,” Walker wrote in his report.

