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| <b>Legislative Review:</b>          | BOS File #240982 Disability Access Improvements for Places of Public Accommodation |
| <b>Sponsor:</b>                     | Mandelman  |
| <b>Date Introduced:</b>             | 10/8/2024  |
| <b>Scheduled for BOS Committee:</b> | Land Use and Transportation Committee  |

### **Legislative Overview:**

This legislation removes the local requirement that existing buildings with a place of public accommodation must make entryways into the building accessible to persons with disabilities or to receive a City determination of equivalent facilitation, technical infeasibility, or unreasonable hardship. This requirement was known as the Accessible Business Entrance Program.

This legislation would require the Department of Building Inspection to provide notice to building owners and tenants of their accessibility obligations under the American’s with Disabilities Act and to continue to develop outreach materials and information regarding accessibility. It would also reduce fees for certain accessibility upgrades that require minor encroachment permits.

### **Amendments to Current Law**

The Accessible Business Entrance Program was created in 2016 in an effort to establish a framework for a program under the Department of Building Inspection (“DBI”) to bring a broader set of property and business owners into compliance with the accessibility standards of the California Building Code and, to the greatest extent feasible, the federal Americans with Disabilities Act within proscribed timelines. This legislation would sunset the ABE program and redirect resources to other accessibility initiatives.

### **Background, Issues, and Considerations**

- Who benefits from or will be burdened by your proposal (geographically, ethnically, linguistically)? What are your strategies for advancing racial equity or mitigating unintended consequences?

This legislation redirects limited resources toward promoting accessibility in a variety of ways to support inclusive business services, websites, and physical locations. Small businesses will benefit from this proposal because it removes a local requirement. At the same time, federal requirements for accessibility still exist.

- What was the development process of this proposal? Whose input have you sought out? What feedback did you hear and did you incorporate it into this proposal? If not, why not?

Supervisor Mandelman worked with several members of the Mayor's Office on Disability, Mayor's Disability Council, members of the small business community, and City departments involved in the Accessible Business Entryway program.

- Is this proposal punitive or enforcement based? What are the other alternatives for proactive compliance?

This proposal is not punitive.

- Given the diversity of San Francisco, how would this policy play out in different cultural settings? How does it accommodate cultural norms?

The goal of this legislation is to make San Francisco a more inclusive, accessible City and support small businesses to meet the needs of people with disabilities.