

(R-83-1420)

RESOLUTION NUMBER R- 258117

Adopted on MAR 21 1983

BE IT RESOLVED, by the Council of The City of San Diego, that the Intergovernmental Relations Department be and it is hereby directed to seek an administrative clarification of Title 24, Handicapped Access Regulations.

BE IT FURTHER RESOLVED, that in the event the Intergovernmental Relations Department is unable to obtain an administrative clarification satisfactory to the Engineering and Development Director and City Attorney, it shall then pursue legislation to exempt facilities located within the public right-of-way similar to the draft legislation, attached hereto as Exhibit "A."

APPROVED: John W. Witt, City Attorney

By Thomas F. Steinke
Thomas F. Steinke
Deputy City Attorney

TFS:ta:502.7
3/9/83
Or.Dept:Rules
Form=r.none

D R A F T

Add Section 4450.1 entitled "Local Equivalent Procedures" to the Government

Code:

4450.1

- (a) The regulations imposed by the State Architect pursuant to Section 4450, et seq. shall not be applicable to public facilities located within the public right-of-way of a local government if that local governmental entity has an effective procedure for the design of handicap access which is comparable to the standards promulgated by the State Architect as provided in 4450.
- (b) A local agency comparable procedure shall include as a minimum a comprehensive set of design standards for handicap access in the public right-of-way maintained by local government. Exceptions and variances from these handicap access standards may be allowed in unusual situations if the local agency has an advisory body that reviews the exceptions and variances.
- (c) The advisory body must be organized under local law or charter. This body shall also advise the local government on the comprehensive set of design standards for handicap access in the public right-of-way maintained by the local agency. The advisory body must include at least one organization representing physically handicapped persons. Handicapped/employees of the local government may serve on the advisory board but they may constitute no more than 1/3 of the total membership. Local governments may jointly form advisory bodies and adopt a uniform appeal process.

EXHIBIT A

R- 2581.17

01331

Passed and adopted by the Council of The City of San Diego on MAR 21 1983,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Vacant
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Vacant

AUTHENTICATED BY:

BILL CLEATOR
Deputy Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By Barbara Berridge, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

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