

ORDINANCE

AN ORDINANCE AMENDING SECTION 18.16.010.B OF THE MUNICIPAL CODE OF THE CITY OF MANITOU SPRING, COLORADO PROVIDING REQUIREMENTS FOR ADA SITE ACCESSIBILITY

WHEREAS, the Manitou Springs ADA Coordinator and the Planning Department has recommended updates and clarification to the Zoning Code relating to requirements for ADA site accessibility on site plans and development plans; and

WHEREAS, the City Council, after reviewing the recommendations of the ADA Coordinator and the Planning Department, has determined it is in the public interest to enact the proposed amendments to provide for greater public understanding of ADA responsibilities when processing site plans and development plans in the City and to further the intent of the regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:

Section 1: Section 18.16.010.B of the Manitou Springs Municipal Code shall be amended as follows:

4. ADA Site Accessibility

a. Compliance with the Americans with Disabilities Act (“ADA”) and other Federal and State accessibility laws is the sole responsibility of the property owner. Therefore, compliance with this Code does not assure compliance with the ADA or any other Federal or State accessibility laws or any regulations or guidelines enacted or promulgated under or with respect to such laws. The City of Manitou Springs is not responsible for enforcement of the ADA or any other Federal or State accessibility laws.

b. The following note shall be added to all development plans, site plans, preliminary plats, and final plats, whichever is applicable, prior to approval:

The parties responsible for this plan have familiarized themselves with all current accessibility criteria and specifications and the proposed plan reflects all site elements required by the applicable ADA design standards and guidelines as published by the United States Department of Justice. Approval of this plan by the City of Manitou Springs does not assure compliance with the ADA or any other Federal or State accessibility laws or any regulations or guidelines enacted or promulgated under or with respect to such laws. Sole responsibility for compliance with Federal and State accessibility laws lies with the property owner.

c. Each site plan or development plan submitted to the City of Manitou Springs shall illustrate the provision of ADA accessible routes in accord

with the applicable ADA design standards and guidelines as published by the United States Department of Justice with clearly identified corridors reflected on the site plan or development plan, as applicable.

Section 3: Section 18.72.030 of the Manitou Springs Municipal Code shall be repealed and reenacted as follows:

Site plans shall conform to the requirements of this Chapter and shall comply with Section 18.16.010(B) of this Code, as applicable.

Section 4: If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 5: This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Passed on first reading and ordered published this 6th day of March, 2018.

/s/ Donna Kast
City Clerk, Donna Kast

A Public Hearing on this ordinance will be held at the March 20, 2018, City Council meeting. The Council Meeting will be held at 6:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: March 8, 2018 (in full)
City's Official Website and City Hall

Passed on second reading and approved by Council this 20th day of March, 2018.

/s/ Ken Jaray
Mayor, Ken Jaray

Attest: /s/ Donna Kast
City Clerk, Donna Kast

Ordinance Published: March 22, 2018 (in full)
City's Official Website and City Hall