

ACCESS RESTORE



People with Disabilities

**Presented By
Center for Independent Living Disability Resource Center and
The Disability Summit Council
Escambia County, Florida**

Persons with Disabilities

Access to Projects Funded with RESTORE Funds

Unique Challenges



Unique Opportunities



Persons with Disabilities – Who We Are –

- ▶ 54 million - One-fifth of the American population
- ▶ Largest minority in the United States.
- ▶ By 2030, 71-million baby boomers turn 65.
- ▶ \$220 billion in discretionary spending a year.
An untapped consumer market.
- ▶ \$1-trillion dollars aggregate income per year.
- ▶ For 2011 census details: www.disabilitystatistics.org



Escambia County Poor Accessibility Limits Economic Development and Opportunity

► Major tourist attractions that are not accessible:

- Beaches
- Fishing piers
- Educational trails (Eco-trail)
- Parks
- Cultural heritage
- Infrastructure
- Buildings not modified
- Recreational facilities
- Marina's



Beaches – No Access



- ▶ Trail heads and paths–no access.
- ▶ Ramp not level with ground
- ▶ Signage not accessible
- ▶ No handicap parking
- ▶ **Violation of state and federal laws**

Pensacola Beach Eco Trail

New Project Lacks Access



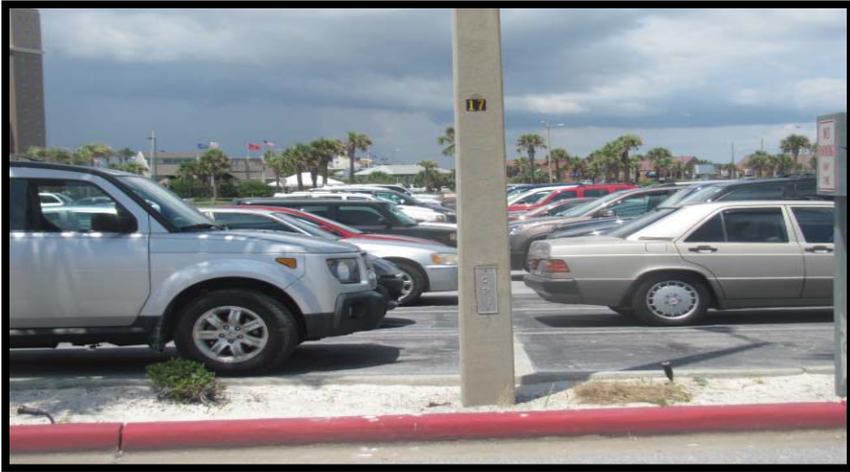
▶ Eco-trail (NRDA Project)

- **Most** signage not accessible
- No path of travel over sand
- No audio for visual impaired



- ▶ Eco-trail signs that is accessible.
- ▶ Accessible path of travel allows access.

Pensacola Beach Pavilion Parking Lot Improvements Provide Access



BEFORE

- ▶ No 44" access aisle
- ▶ No Curb cuts
- ▶ No Safely marked paths of travel from to Pavilion



NOW

- ▶ Pavilion Parking lot now.
- ▶ Handicap parking safe
- ▶ 44" access aisle
- ▶ Curb cuts
- ▶ Safely marked paths of travel

Recreation Fishing And Boating

Lack of Access



Galvez Park

New Boat Ramp (NRDA Funded)

Benches not accessible

Signage not accessible

Handicap parking not accessible

Portable toilet 200 ft. away

Accessibility and Opportunity:



- ▶ James Henkel in a beach chair
- ▶ Requires someone to push
- ▶ Difficult to push in sand
- ▶ Caregiver exhausted
- ▶ James lacks independence



- ▶ Miami beach rubber mat
- ▶ James uses his on wheelchair.
- ▶ No need for caregiver
- ▶ James has independence

Heritage/Cultural Tourism Out of Reach for People with Disabilities



Pensacola Historic District Infrastructure Church Street



Pensacola Historic Village

No Access



- ▶ Pensacola Historic Village
Ticket office is not accessible
No ramp
No accessible restroom



- ▶ Wentworth Museum
Accessible entrance
Dangerous/isolated
Dirty
Smells of urine

Pensacola Historic Village Exhibits Not Accessible



- ▶ Majority of exhibits are not accessible.
- ▶ No ramps
- ▶ No accessible path of travel
- ▶ No audio for visual impaired

Pensacola's Decaying Infrastructure Historic District

► Sidewalks:

- Not safe
- Cracked
- Uneven
- Missing bricks
- Some covered with vegetation
- Not pedestrian friendly
- Not accessible
- Not aesthetic



Changing Course Universal Design/Compliance with Law



- **Old Christ Church**
- Ramp leading to accessible restroom.
 - Accessible entrance
 - But, no signage directing public to accessible entrance

Pensacola Main Street Improvements Access for All



Connectivity between Bartram Park and Fountain Park

Sidewalks on both sides of main
Numerous curb cuts
Islands and road diet
Marked pedestrian paths cross

BENEFITS

People of all abilities have access
Safe access
More people will be able to come
Aesthetically inviting

Seville Park Improvement Universal Design/ADA – Good for All



Ramp added to Gazebo

Benefits:

- ▶ Wheel chair users
- ▶ All people have access
- ▶ Event organizers love it
- ▶ Easy access for equipment
- ▶ Easy access for performers
- ▶ Design compliments district

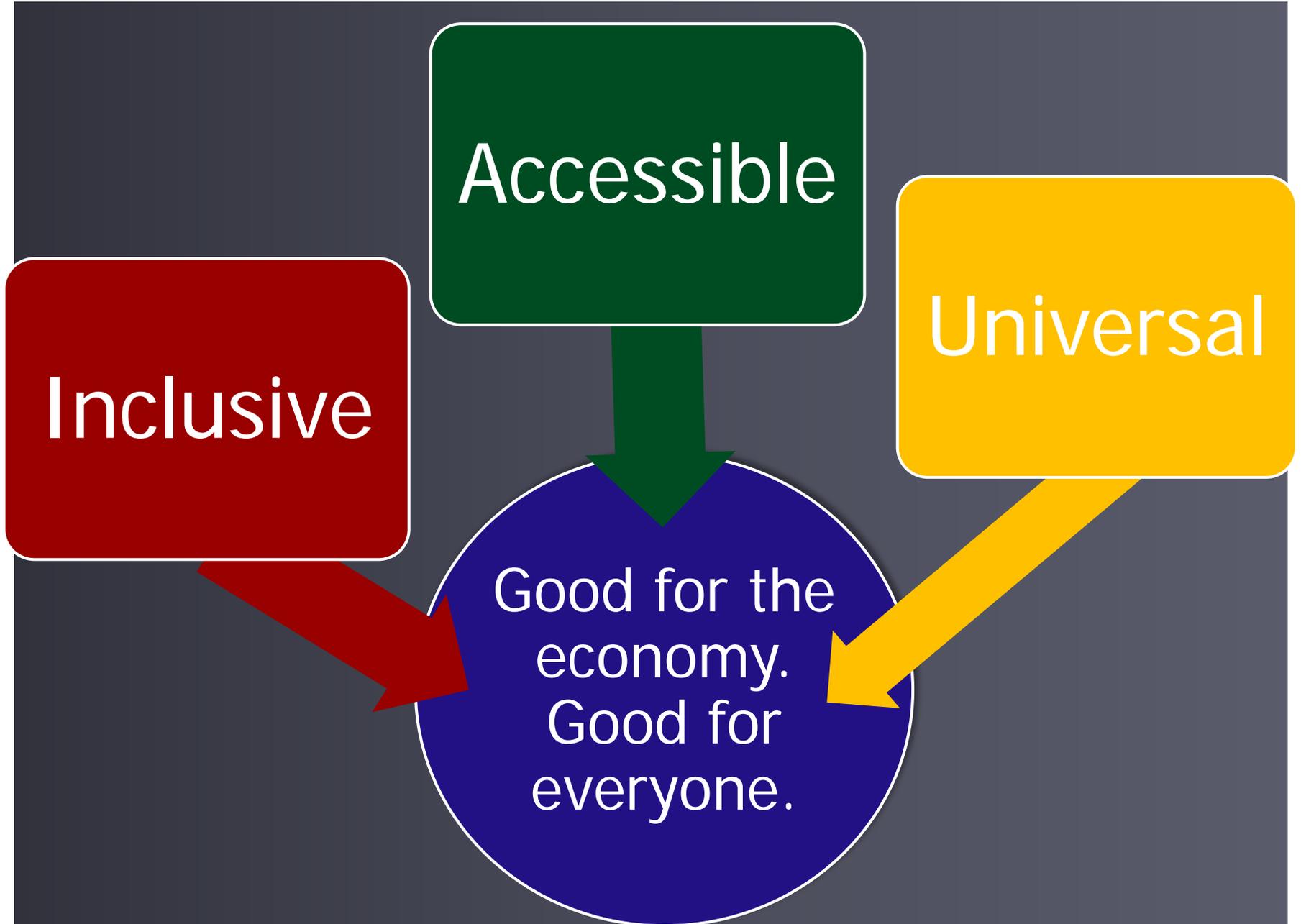
Everybody happy!

Accessible

Universal

Inclusive

Good for the
economy.
Good for
everyone.



Summer 2013 – Sarah Henkel’s brother, Phil has Lou Gehrig’s’ Disease. They rented multiple beach properties including one full accessible beach house with accessible to the beach.

They vacationed in North Carolina.



RESTORE Funds/Federal Funds Civil Rights of Persons with Disabilities



Rights of Persons with Disabilities

Rehabilitation Act of 1973 Findings:

- (1) millions of Americans have one or more physical or mental disabilities ...
- (2) Individuals with disabilities constitute one of the most disadvantaged groups in society...
- (3) disability is a natural part of the human experience and in no way diminishes the right of individuals...
- (4) individuals with disabilities continually encounter various forms of discrimination in such critical areas as employment, housing, public accommodations, education, transportation, communication, recreation, institutionalization, health services, voting, and public services...

Section 794 of 1973 Rehab Act Nondiscrimination under Federal grants and programs;

► **Provision:**

(a) No otherwise qualified individual with a disability in the United States shall be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving **Federal financial assistance** or under any program or activity conducted by any executive agency...

Governmental Entities Receiving Federal Funds

Section 794 of the 1973 Rehab Act:

(b) “Program or activity” defined

- ▶ For the purposes of this section, the term “program or activity” means all of the operations of—
 - ▶ (1) (A) a department, agency, special purpose district, or other instrumentality of a State or of a local government; or
 - ▶ (B) the entity of such State or local government that distributes such assistance and each such department or agency (and each other State or local government entity) to which the assistance is extended, in the case of assistance to a State or local government;
- ▶ (2) (A) a college, university, or other postsecondary institution, or a public system of higher education; or
- ▶ (B) a local educational agency system of vocational education, or other school system;

Private Entities Receiving Federal Fund Rehab Act 1973

- ▶ 3) (A) an entire corporation, partnership, or other private organization, or an entire sole proprietorship—
 - ▶ (i) if assistance is extended to such corporation, partnership, private organization, or sole proprietorship as a whole; or
 - ▶ (ii) which is principally engaged in the business of providing education, health care, housing, social services, or parks and recreation; or
- ▶ (B) the entire plant or other comparable, geographically separate facility to which Federal financial assistance is extended, in the case of any other corporation, partnership, private organization, or sole proprietorship; or
- ▶ (4) any other entity which is established by two or more of the entities described in paragraph (1), (2), or (3); any part of which is extended Federal financial assistance.

Rehab Act 1973 - Enforcement

- ▶ United States Access Board enforces the Architectural Barrier Removal Act for all federally funded projects.
- ▶ The Board develops the ADA Standards for Accessible Design that is enforced through the US Justice Department for state and local governmental entities and private entities.

All Departments of the Federal Government

Americans with Disabilities Act

Nonfederal public and private entities

Title II: Public Entities

(1) Public entity

The term “public entity” means—

(A) any State or local government;

(B) any department, agency, special purpose district, or other instrumentality of a State or States or local government; and

(2) **Qualified individual with a disability** : The term “qualified individual with a disability” means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.



Florida Disability Law

Florida Constitution, Article I, Section II. No person shall be denied any right based on race, sex, national origin or physical disability.

Showing of compelling state interest to treat protected classes unequally.

Higher standard than federal laws

**Florida Americans with Disabilities Accessibility
Implementation Act** – Florida Statute 553.501 -513

Florida Building Code, Chapter 11

Compliance with Law and Enhanced Access = Economic Opportunity

- ▶ Persons with disabilities earn over \$1-trillion a year.
- ▶ Constitutes an untapped consumer market worth over \$220 billion in discretionary spending.
- ▶ Enlarging this market are families, friends, communities, employers, and service providers of people with disabilities. Of the 69.6 million US families, 20.3 million have at least one member with a disability.
- ▶ In 1995, people with disabilities spent \$81.7 billion on travel.
- ▶ Disability community responds positively to companies whose marketing approaches are empowering and address their needs and interests.

RECOMMENDATIONS

1. Hire an ADA expert consultant to design criteria for evaluating project compliance with federal and state disability civil rights laws.
2. Place high priority on enhanced accessibility to built environment through innovative design in consultation with people with disabilities.
3. Establish an EEOC committee to ensure that economic and workforce development projects target persons with disabilities, African-Americans, minorities and other underemployed populations.

Collective Voices of Support

- ▶ Agency for Persons with Disabilities Northwest Region
- ▶ ARC Gateway
- ▶ Community Action Program, Inc.
- ▶ Council on Aging of West Florida
- ▶ Independence of the Blind
- ▶ United Cerebral Palsy of Northwest FL

*Letters attached

Resources

▶ **American Trails:**

<http://www.americantrails.org/resources/accessibility/index/index>

▶ **Center for Independent Living Disability Resource Center**

▶ **Disability Statistics:** www.disabilitystatistics.org

▶ **United States Justice Department:** www.ada.gov

▶ **United States Access Board:** www.access-board.gov
Access Recreation and Outdoor Requirement
Guidelines

Presentation By:

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nonprofit organization funded by the

US Department of Education

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