

**Commission for Accessibility  
Meeting Minutes  
Monday, September 11, 2023**

Meeting Via Zoom

In Attendance: Christine Santori, Dave Choplinski, Maureen Culhane, Michael Landrigan, Kate White, Tony Phillips, Don Ciota

Visitors: John Agni,

**Call to Order:** 5:06 PM

Town of Ridgefield Guidelines Booklet

[Hyperlink to Ridgefield Guidelines Booklet:](https://www.ridgefieldct.gov/sites/g/files/vyhlf4916/f/uploads/town_of_ridgefield_bcc_handbook_-_final_11.3.22_0.pdf)

[https://www.ridgefieldct.gov/sites/g/files/vyhlf4916/f/uploads/town\\_of\\_ridgefield\\_bcc\\_handbook\\_-\\_final\\_11.3.22\\_0.pdf](https://www.ridgefieldct.gov/sites/g/files/vyhlf4916/f/uploads/town_of_ridgefield_bcc_handbook_-_final_11.3.22_0.pdf)

**Public Comment**

The Commission noted the twenty-second anniversary of the 911 attacks and the passing of Emma-Lou Benedict, past chair of this Commission, with a moment of silence.

Christine and Kate brought up ADA compliance on Main Street.

The new Deborah-Ann's Sweet Shoppe has done an exceptional job of making their re-constructed building handicapped accessible. This is especially notable since this building is in the historic district, which has strict compliance rules that must be adhered to.

This successful project should stand as an example for other businesses on the public to what can be accomplished not only to the letter, but to the spirit of the law.

Accessibility to other properties on Main Street remains an issue due to issues related to sidewalk elevation. A general discussion occurred related to this matter.

**ADA SETTLEMENT BY DOJ:**

# ADA Settlement Will Make Ridgefield Restaurant More Accessible

Wednesday, August 23, 2023

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## **For Immediate Release**

U.S. Attorney's Office, District of Connecticut

Vanessa Roberts Avery, United States Attorney for the District of Connecticut, today announced that Baja Cocina, a restaurant located at 426 Main Street in Ridgefield, has agreed to make changes to become more accessible to persons with mobility disabilities. The changes are required under a settlement agreement signed by Ridgefield Taco LLC, the owner of Baja Cocina, and the United States under the Americans with Disabilities Act.

The settlement resolves a complaint made with the U.S. Department of Justice that claims that Baja Cocina is not physically accessible to persons with mobility disabilities. Under the agreement, Baja Cocina must work with its landlord to provide an accessible parking space for the restaurant. It must also continue to provide curbside service to persons with mobility disabilities and ensure that it provides accessible dining surfaces in its outdoor dining area. Inside the restaurant, Baja Cocina must install ADA-compliant signage and make changes to its accessible bathroom, including relocating the toilet flush controls, relocating a grab bar, and relocating a soap dispenser.

Under federal law, private entities that own or operate places of “public accommodation,” including restaurants, are prohibited from discriminating on the basis of disability. The ADA authorizes the U.S. Department of Justice to investigate complaints and undertake periodic compliance reviews of covered entities. The Justice Department is also authorized to commence a civil lawsuit in federal court in any case that involves a pattern or practice of discrimination or that raises issues of general public importance, and to seek injunctive relief, monetary damages, and civil penalties.

U.S. Attorney Avery noted the cooperation of Baja Cocina's owner in resolving this matter without litigation.

The settlement will remain in effect for three years, and Baja Cocina must submit certifications concerning its compliance to the U.S. Attorney's Office every six months until it has fully complied with the agreement.

This matter was handled by Assistant U.S. Attorney Stewart C. Dearing.

Any member of the public who wishes to file a complaint alleging that any place of public accommodation or public entity in Connecticut is not accessible to persons with disabilities may contact the U.S. Attorney's Office at 203-821-3700 and ask for the Civil Rights Intake Specialist.

Additional information about the ADA can be found at [www.ada.gov](http://www.ada.gov), or by calling the Justice Department's toll-free information line at (800) 514-0301 and (800) 514-0383 (TTY). More information about the Department of Justice Civil Rights Division and the laws it enforces is available at [www.justice.gov/crt](http://www.justice.gov/crt).

*Updated August 23, 2023*

## **36th Anniversary of the Air Carrier Access Act**

### **Passengers with Disabilities**

In October, we celebrated the 36th anniversary of the Air Carrier Access Act (ACAA or Act), one of America's greatest civil rights achievements. The ACAA prohibits discrimination against persons with disabilities in commercial air transportation. Its passage represented a watershed moment for non-discrimination in air transportation, but the Act is short on specifics. Congress entrusted the U.S. Department of Transportation with bringing it to life and the Department has done so. Following a lengthy rulemaking process that included a regulatory negotiation involving representatives of the disability community and the airline industry, the Department issued a final ACAA rule in March 1990. Since that time, the Department has amended the rule approximately 15 times to further improve access to transportation facilities and services for persons with disabilities. If you are an airline passenger with a disability looking for more information regarding your rights during air travel.

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## About the Air Carrier Access Act

The Air Carrier Access Act prohibits discrimination on the basis of disability in air travel. The Department of Transportation has a rule defining the rights of passengers and the obligations of airlines under this law. This rule applies to all flights of U.S. airlines, and to flights to or from the United States by foreign airlines. The following is a summary of the main points of the DOT rule (Title 14 CFR Part 382).

### Prohibition of Discriminatory Practices

- Airlines may not refuse transportation to people on the basis of disability. Airlines may exclude anyone from a flight if carrying the person would be inimical to the safety of the flight. If a carrier excludes a person with a disability on safety grounds, the carrier must provide a written explanation of the decision.
- Airlines may not require advance notice that a person with a disability is traveling. Air carriers may require up to 48 hours' advance notice for certain accommodations that require preparation time (e.g., respirator hook-up, transportation of an electric wheelchair on an aircraft with less than 60 seats).
- Airlines may not limit the number of persons with disabilities on a flight.
- Airlines may not require a person with a disability to travel with another person, except in certain limited circumstances where the rule permits the airline to require a safety assistant. If a passenger with a disability and the airline disagree about the need for a safety assistant, the airline can require the assistant, but cannot charge for the transportation of the assistant.
- Airlines may not keep anyone out of a specific seat on the basis of disability, or require anyone to sit in a particular seat on the basis of disability, except to comply with FAA or foreign-government safety requirements. FAA's rule on exit row seating says that airlines may place in exit rows only persons

who can perform a series of functions necessary in an emergency evacuation.

## Accessibility of Facilities

- New aircraft with 30 or more seats must have movable aisle armrests on half the aisle seats in the aircraft.
- New twin-aisle aircraft must have accessible lavatories.
- New aircraft with 100 or more seats must have priority space for storing a passenger's folding wheelchair in the cabin.
- Aircraft with more than 60 seats and an accessible lavatory must have an on-board wheelchair, regardless of when the aircraft was ordered or delivered. For flights on aircraft with more than 60 seats that do not have an accessible lavatory, airlines must place an on-board wheelchair on the flight if a passenger with a disability gives the airline 48 hours' notice that he or she can use an inaccessible lavatory but needs an on-board wheelchair to reach the lavatory.
- Airlines must ensure that airport facilities and services that they own, lease or control are accessible in the manner prescribed in the rule.

<https://www.nytimes.com/2023/07/26/us/politics/airplane-bathrooms-disabilities-accessibility.html?smid=url-share>

## Adjourn

2023 Meeting Dates: (Mondays at 5:00PM)

Oct 16

Nov 13

Dec 11

Until further notice these meetings will continue via Zoom.

Minutes prepared by Don Ciota, Chairman