

RESOLUTION NO. 7545

**A RESOLUTION OF THE CITY OF LAWRENCE, KANSAS,
ADOPTING THE AMERICANS WITH DISABILITIES ACT (ADA)
TRANSITION PLAN FOR PUBLIC RIGHTS OF WAY.**

WHEREAS, the Americans with Disabilities Act of 1990 (ADA), codified as amended at 42 U.S.C. §§ 12101 *et seq.*, effective July 26, 1990, is a civil rights law that prohibits discrimination against persons based on disability;

WHEREAS, Title II of ADA, which provides, in part, that "...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity," 42 U.S.C. § 12132 and 28 C.F.R. § 35.130, applies to public entities, such as the City of Lawrence, Kansas, that offer programs, activities, and services to its residents;

WHEREAS, Title II of ADA, 28 C.F.R. § 35.150, also mandates that the City must operate its programs so that, when viewed in their entirety, the programs are accessible to and useable by persons with disabilities,

WHEREAS, pursuant to Title II of ADA, 28 C.F.R. § 35.130, the City may not refuse to allow a person with a disability to participate in a program, activity, or service simply because that person has a disability; and

WHEREAS, as required by Title II of ADA, 28 C.F.R. Part 35, § 35.105, the City has conducted a thorough self-evaluation of its facilities within the public rights of way and has developed a Transition Plan for Public Rights of Way, outlining how the City will ensure that its facilities, located within the public rights of way, are, in accordance with the ADA, accessible to all persons.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:

SECTION 1: The Governing Body hereby adopts the Americans with Disabilities Act (ADA) Transition Plan for Public Rights of Way and incorporates that document herein by reference as if set forth in full.

SECTION 2. This Resolution and the Americans with Disabilities Act (ADA) Transition Plan for Public Rights of Way, adopted and incorporated herein by reference, shall be in full force and effect from and after the date of its adoption, as set forth below.

ADOPTED by the Governing Body of the City of Lawrence, Kansas, this 16th day of July, 2024.

APPROVED:



Nathan Littlejohn III
Mayor

ATTEST:



Sherri Riedemann
City Clerk



APPROVED AS TO FORM:



Toni R. Wheeler
City Attorney