

AMERICANS WITH DISABILITIES ACT COMPLIANCE

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Regardless of size or income, most fairs and festivals have legal obligations to provide and maintain accessibility for visitors with disabilities. Privately operated fairs are covered as public accommodations under Title III of the Americans with Disabilities Act (ADA); fairs operated by state or local governments are covered by the ADA's Title II; and fairs that receive federal funding—whether they are covered by Title II or Title III—are also covered by Section 504 of the Rehabilitation Act.

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The ADA requires public entities and businesses that serve the public to remove barriers from older buildings and to design and build new facilities that provide access to visitors with disabilities. A key component of ADA compliance is maintaining those features so they remain usable.

Organizations spend money to remove barriers and need to protect that investment. Even brand-new buildings designed for complete accessibility can become inaccessible without proper attention. If key elements—often including parking; building entrance; route into and through the establishment; and access to goods and services, restrooms, cashier stations and egress—are not maintained, then access is reduced or eliminated. A poorly placed trashcan or a locked door can make a building unusable—a waste of money.

How you provide access is not as important as **that** you provide access.

Accessibility attracts the family, friends, employers, communities and service providers of people with disabilities. Access to goods and services will be noticed by parents with strollers and elderly persons looking for easily navigated routes. Veterans with disabilities, senior citizens and people with temporary disabilities will be your customers, too, so it is beneficial for agricultural societies to expand their idea of accessibility. Eighty percent of business still comes from word of mouth.

The following sections identify some ways that fair operators can maintain their investment in access with little or no extra cost. Issues vary, of course, with individual events and festivals. Not all obligations under the ADA are addressed.

FAIR AND FESTIVAL INVESTMENTS IN ACCESS

Since the 1990s, numerous fairs and festivals across the country have initiated efforts to improve accessibility of their infrastructure and programs for visitors with disabilities. Today, fairs and festivals that invest time and money to remove barriers from their facilities, design accessible exhibitions and provide effective communication for their programs can potentially attract millions of visitors with disabilities.

Elements such as accessible parking, entrances without stairs, exhibit labels that can be read by visitors who are seated or standing, large-print exhibition brochures and captioned multimedia programs help reach this huge and growing body of attendees.

The key to protecting these investments is maintaining the accessibility that has been put into place—both the general features of a public accommodation, and the features and programs that particularly define a fair or festival experience. When accessibility programs and services are discontinued or accessible building features are blocked by temporary exhibitions or removed during renovations, the loss of invested time and money can be substantial.



Fairs and festivals that consider accessibility in their design can attract many more visitors with disabilities, aging adults and their families.

MAINTAINING ACCESSIBLE FEATURES IN BUILDINGS AND GROUNDS

Fair buildings and the surrounding grounds are as much a part of the event experience as the exhibits and programs within them. The following are examples

of typical festival building and grounds accessibility maintenance issues and best practices.

ACCESSIBLE PARKING

- Accessible parking requires that sufficient space be provided alongside the vehicle so that persons using mobility aids, including wheelchairs, can transfer and maneuver to and from the vehicle. Accessible parking also involves the appropriate designation and location of spaces and their connection to an accessible route.
- Instruct staff about specific designated accessible parking locations and to assist patrons in locating them as needed.



ACCESSIBLE ENTRANCES

- Provide and maintain a prepared path that is accessible from parking and the drop-off areas to the entrance and exit of the facility.
- Provide an accessible ticket window at the ticket booth location with a service counter or auxiliary counter at least 36 inches in length with a maximum height of 36 inches above the finished floor. In alterations where it is technically infeasible to provide an accessible counter, an auxiliary counter meeting these requirements may be provided no higher than 36 inches above the ground/floor. If needed, provide curbside service as a last resort.
- Provide an accessible entrance to the first-aid facility.





ACCESSIBLE ROUTES THROUGHOUT THE FAIR

- If directional signs to accessible building features are mounted on movable pedestals, they must remain in place and continue to provide correct directions, including information about accessible route(s) for special events.
- Maintain sidewalks and curb ramps to prevent large cracks and uneven surfaces from forming.
- Movable exhibition seating or furniture for exhibit interactives must be monitored so that they do not block accessible routes; present tripping hazards; or prevent access to exhibit cases, interactives or media presentations.
- Some people with visual disabilities use canes to detect barriers that protrude into the path of travel, whether along an accessible route or any other circulation path. Objects, signage, light fixtures and exhibit items (or tree branches and shrubs along outdoor paths) can present collision hazards if they are between 27 to 80 inches above the ground and protrude more than 4 inches into the path of travel.



- Care must be taken either to keep protruding objects or those with low head clearance out of the path of travel or to install cane-detectible barriers below them.
- Eliminate billowy, long table covers that spill into the accessible route. These create trip hazards for customers with low vision and snag under patrons' crutches, canes and walkers, and in their wheelchair wheels.

ACCESSIBLE RESTROOM, FITTING ROOM FACILITIES

- Unlock accessible public restrooms, toilet stalls and fitting rooms. Make sure they are available to customers with disabilities during business hours. They cannot be used as temporary storage areas or staff locker space.
- At every restroom or "privy" area, provide at least the minimum number of accessible ADA compliant portable toilets required by local, state or federal regulation.
- If needed, modify lavatories provided at privy areas to comply with ADA standards.
- Place signage complying with ADA standards at each privy area that directs individuals to the accessible portable toilets.
- Eliminate furniture or equipment, such as shelving, large trashcans and chairs, that take up



required maneuvering space in fitting rooms and restrooms.

- Routinely refill the accessible paper towel and soap dispensers when all other dispensers are refilled.

Resources

- "Disability Parking Quick Reference Guide," MCIT.org/resource/
- U.S. Access Board, Access-Board.gov
- "Planning Guide for Making Temporary Events Accessible to People with Disabilities," ADA National Network, ADANA.org





MAINTAINING ACCESSIBILITY IN FAIR POLICIES, PRACTICES, PROCEDURES

Once inside the fairgrounds, visitors with disabilities want to experience all that the fair has to offer—exhibitions, programs, shops, special events, publications, videos, etc. The following are examples of typical fair program maintenance issues.

- Features should meet ADA standards, and safety and usefulness must always be examined. For example, portable exhibits and performing areas where entry for participants is intended should be accessible.
- Consistently educate all staff and volunteers:
 - Tell employees/volunteers the location and purpose of accessible retail elements and explain the importance of keeping the features usable.
 - Provide employees/volunteers with procedures for correcting problems. Example: Staff and volunteers working at the information desk or answering questions should know what accessibility services are available and how to request them, including those that must be scheduled in advance.
- Staff and volunteers should know about the telephone relay system for people who are deaf, hard of hearing or have speech disabilities and be prepared to use it.
- Signage and information in brochures about accessibility must be kept current and available upon request.
- Alternate formats for printed brochures and program materials (e.g., braille, large print) must be kept current, in stock and easy to find by the

public. Generally they should be available to visitors on the same day that the standard print versions are available, including materials associated with traveling and other temporary exhibitions.

- Auxiliary aids and services (e.g., assistive listening devices, audio description tours, closed captioning, controls in exhibitions) must remain operable except for maintenance or repair. Regular testing of equipment is essential to keep them in working order.
- If touchable objects are used to provide access to the content of exhibitions and programs for people with disabilities, care should be taken to maintain the objects' condition. If an object is removed from the tactile collection for any reason, it should be replaced with one of equal quality that conveys tactually the same information about the exhibition or program's themes.
- If the fair offers a public website about its exhibitions and programs, the information should be available to everyone. *See sidebar "Fair Websites Should Be Accessible, Too" for more details.*
 - If the fair uses the website to present accessibility information or to serve as an alternate format for exhibition labels or printed materials, the information should be current and easy to find on the site.
- Additional policies that may need to be instituted include service animals and the use of Segways and/or nontraditional mobility devices.

BEST PRACTICES

- Develop a policy for providing goods and services to individuals with disabilities in accordance with the requirements of the ADA. Institute a clause in any contract with vendors and service providers requiring that shop or booth owners provide access to their goods or services for patrons with disabilities.
- Create training materials about providing access to patrons who have disabilities and distribute them to all shop owners, employees and volunteers prior to the event. Materials should include information about:
 - Requirements of the ADA.
 - Policies with respect to providing access to programs, activities and services at the fair.
 - Location of accessible toilet facilities and telephones.
 - Procedures for contacting professional staff if questions or problems arise pertaining to accessibility for persons with disabilities.
- Provide written information within the fair brochure regarding accommodations available to individuals with disabilities at the fair. This should include information about:
 - Location of accessible toilets and telephones.
 - Parking assistance provided.
 - Policies with respect to providing access to programs, activities and services at the fair.
 - Procedures for contacting professional staff if questions or problems arise pertaining to accessibility for persons with disabilities.
 - Any other relevant information.
- Prominently display written information and make it available for distribution at all fair entrances and ticket and information booths.



3 PRIORITIES FOR MAINTAINING ACCESS TO AND WITHIN INDIVIDUAL BOOTHS

Individual shops must not allow merchandise to spill into aisles and narrow the width of the accessible route. Sales and ticket counters that have been lowered

to provide access must be clear and unobstructed for use by people with disabilities. Staff should know how to assist people in reaching or seeing merchandise.

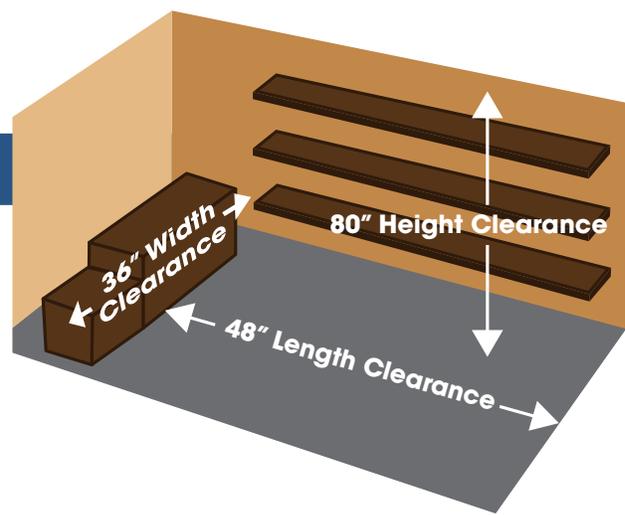
1. ENTRANCE TO BOOTH

- Provide or modify existing ramp/make curb cuts in raised walks and at entrances.
 - Add 2-inch high ramp edge protection or handrails.
 - Maintain ramp bottom area transition.
- Widen doors/entrances to a minimum of 32 inches.
- Be on stable, firm, slip-resistant and compact surfaces.
- Remove protruding objects in path of travel.
- If technically infeasible, create accessible signage and/or plan for service to individuals who cannot enter booth, but want to access service or merchandise.



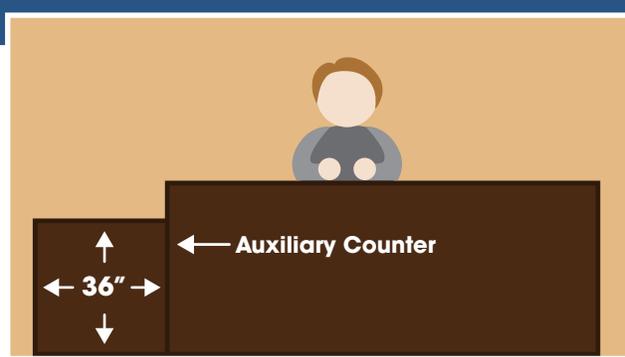
2. ROUTE WITHIN THE BOOTH

- Clear accessible path within booths and shops:
 - Clear floor space of 36 inches wide by 48 inches long
 - Clear height space of 80 inches
- Reposition shelves/merchandise.
- Remove or re-position objects that protrude more than 4 inches into path of travel.



3. COUNTER WITHIN THE BOOTH

- Create a service counter or auxiliary counter on an accessible route at least 36 inches in length with a maximum height of 36 inches above the finished floor.
 - In situations where it is technically infeasible to provide an accessible counter, an auxiliary counter meeting these requirements may be provided no higher than 36 inches above the ground/floor, e.g., folding shelf.
- If needed, provide curbside service as a last resort.



This chapter's content is excerpted from "Accessibility at State Fairs and Public Festivals" and reprinted with permission from the Northwest ADA Center (NWADACenter.org).

Fair Websites Should Be Accessible, Too

An agricultural society's website or social media presence is often one of the first places individuals look for information about the fair and other fairground events. Agricultural societies should ensure that their websites and social media content are accessible to everyone, including individuals with disabilities.

Many disabled users rely upon assistive technologies for help with visiting websites. For example, a person who is visually impaired may use a tactile braille display or a screen-reader application that speaks the text to read information that otherwise would be visually displayed on a monitor.

Individuals with low vision may need to manipulate the font size and color settings on a website to make text readable. People with limited manual dexterity may use alternative input devices, such as an electronic pointing device, instead of a mouse, to navigate websites.

Available Resources

Agricultural societies can improve accessibility to their websites by removing online barriers commonly faced by individuals with disabilities. Often the addition of relatively simple features can greatly enhance a disabled user's access.

For example, a screen reader cannot interpret images on a webpage without associated text. By simply labeling photographs using hidden computer code, blind users can decipher online images.

Other common online accessibility features include:

- Adjustable text size—permits visually impaired users to increase text size.
- Skip navigation—directs users to the substantive content of the website.
- Tagging—allows assistive technology users to differentiate a website's features.
- Text-based formatting—allows screen-readers to read posted documents.
- Open captions—enables deaf or hearing-impaired users to access audio information presented in video format.

If an agricultural society is unable to incorporate accessibility features into its website or social media, it may be able to provide access to the online information through alternative means. For example, if a posted video does not have captions,



Develop a website that is accessible to all users.

an organization may need to provide information about how to obtain a transcript of the video.

Members are encouraged to discuss Web- and social media site accessibility with their information technology provider or website developer.

The following resources may be helpful when evaluating online accessibility.

- Minnesota IT Services website (MN.gov/mnit/): The State of Minnesota IT Services Office of Accessibility has a number of helpful resources on using technology to promote accessibility, including best practices for creating accessible websites and applications. The office also has information about how to procure accessible information technology products and services.
- U.S. Department of Justice (DOJ) website for the ADA (ADA.gov): The DOJ provides guidance for state and local governments on accessible websites for people with disabilities.
- The section "Voluntary Action Plan for Accessible Websites" provides a checklist for state and local governments seeking ADA compliance.
- ADA Best Practices Toolkit for State and Local Governments offers useful tips.
- Section508.gov: Although Section 508 only applies to federal agencies, the accessibility guidance provided on the federal website may be instructive.
- World Wide Web Consortium (W3C) website (W3.org): The W3C is an international community that develops standards to ensure the long-term growth of the Web. W3C has published Web Content Accessibility Guidelines (WCAG) 2.0 and 2.1, which cover a wide range of recommendations for making Web content more accessible to a variety of people with disabilities.