

CITY OF WINCHESTER
Department of Planning & Community Development
Robert Jeffries, Director
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August 4, 2022

Winchester & Clark County Business Owners

RE: Americans with Disabilities Act (ADA) Compliance – Outdoor Seating & Dining

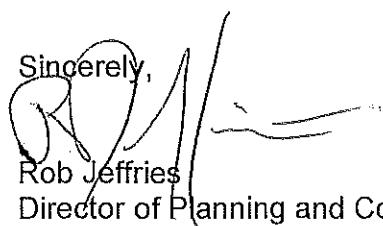
Dear Business Owners:

Our community has strategized certain measures in order for businesses to stay operational during the COVID-19 outbreak. We were, and continue to remain, very fortunate to have guidelines and regulations in place that allow for creative solutions such as outdoor seating, dining, and event space(s). As a community, we need to ensure that we are designing and constructing accessible spaces for all members of our community, including individuals who depend on assistance when navigating through pedestrian right-of-ways and public spaces. The Americans with Disabilities Act (ADA), 42 U.S.C §§12101 et. Seq., applies to outdoor areas and all restaurant dining spaces.

Businesses implementing spaces such as outdoor areas and dining areas must ensure that the routes to such areas are accessible, the tables used are accessible to persons using apparatuses such as wheelchairs and the like, and tables must be arranged wide enough apart so that a person in a wheelchair can maneuver between them and other diners sitting at the tables. Access to pedestrian right-of-ways, such as sidewalks, cannot be blocked and the width of the sidewalk cannot be reduced to less than 36 inches.

As a business owner with outdoor seating, we would encourage you to compare your layout with the ADA guidelines and make any adjustments that are necessary. If we can help answer questions or give further guidance, please feel free to contact the Planning and Community Development Department at (859) 744-7019.

Please see the attached letter from the U.S. Department of Justice for more information regarding ADA accessibility within our community.

Sincerely,

Rob Jeffries
Director of Planning and Community Development