



WHAT EXACTLY IS THE ADA?

The Americans with Disabilities Act recognizes and protects the civil rights of people with disabilities. Title II and III of the ADA require, among other things, that newly constructed and altered State and local government facilities, places of accommodation and commercial facilities be readily accessible to and usable by individuals with disabilities. Recreation facilities are among the types of facilities covered by Titles II and III of the ADA.

More than fifty million Americans have some sort of physical or mental disability, and the ADA protects the rights of these Americans. The ADA was signed into law by President Bush in 1994, and has been refined over the years. Recreational guidelines were enacted in 2004, and many conscientious managers and owners of recreational facilities have already complied with these guidelines. The right thing to do has now become a required thing to do.

WHAT TITLE AM I?

Title II of the Americans with Disabilities Act (ADA) refers to nondiscrimination on the basis of disability in State and local government services.

Title III prohibits discrimination on the basis of disability in the activities of places of public accommodation (businesses that are generally open to the public and that fall into one of the twelve categories listed in the ADA, such as restaurants, movie theaters, schools, day care facilities, retail stores, museums, libraries, parks, private schools, recreational facilities and doctors' offices) and requires newly constructed or altered places of public accommodation – as well as commercial facilities (privately owned, nonresidential facilities like factories, warehouses, or office buildings) to comply with the ADA Standards.

WHAT IS REQUIRED?

Entities that fall under Title II or Title III are required to have at least two accessible means of entry for larger pools (300 or more linear feet) and at least one accessible entry for smaller pools. It is required that at least one entry be a pool lift or sloped entry (ramp); the other could be a sloped entry, pool lift, transfer wall, or a transfer system. Specific technical specifications for each means of entry are defined within the regulations.

Further, the regulations state that “a public entity must maintain in operable working condition those features of facilities and equipment that are required to be readily accessible to and usable by qualified people with disabilities. (Section 35.133 of the 1991 Title II regulation). This means maintenance and replacement parts must be considered as well as initial installation of access means.