

ORDINANCE NO. 16,538

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended, by amending Sections 2-1146 and 2-1149, relating to definitions and the powers and duties of the access advisory board.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended, by amending Sections 2-1146 and 2-1149, relating to definitions and the powers and duties of the access advisory board, as follows:

**Sec. 2-1146. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Person with disability* means any person:

- (1) Who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment; and
- (2) Whose impairment, in reference to employment, is a disability within the meaning of section 62-1 of this Code.

*Major life activities* means functions, such as but not limited to caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

*Mental impairment* means any mental or psychological disorder, such as an intellectual disability, neurocognitive disorders, emotional or mental illness, and specific learning disabilities.

*Physical impairment* means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin and endocrine.

*Qualified Person with a disability* means any person with a disability who satisfies the requisite skill, experience, education and other job-related requirements of the employment position such person holds or desires and who, with or without reasonable accommodation, can perform the essential functions of such position.

*Substantially limits* means that the individual must be unable to perform or be significantly limited in the ability to perform an activity compared to an average person (or use "most people" instead of "average person") in the general population.

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**Sec. 2-1149. Powers and duties.**

The access advisory board shall have the power and duty to:

- (1) Familiarize and sensitize city staff and the general public to the access problems of persons with disabilities.
- (2) Develop a collection of accessible planning information to be located with the designated ADA Coordinator and made available to city staff and the general public.
- (3) Survey city buildings, programs and services for potential accessibility issues and recommend to the city council proposed resolutions of these problems in accordance with the city's section 504 compliance program and the Americans with Disabilities Act.
- (4) Review all proposed new architectural designs for city facilities and recommend appropriate revisions to such designs as needed to address accessibility requirements of the 504 program and the Americans with Disabilities Self-Evaluation Transition Plan.
- (5) Review all city codes and recommend amendments where necessary to ensure handicapped access problems are adequately dealt with and that the requirements of the 504 program and the Americans with Disabilities Act are met.
- (6) Assist in resolution of any accessibility issues which arise in the recruitment, selection and placement of qualified persons with a disability in the city work force.
- (7) Develop recommendations on the future role of the disability access program in the city.
- (8) Serve as an advisor to other public or private entities on accessibility issues where it appears the board can make a positive contribution to resolution of such problems.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED: Grant Hyland, Assistant City Attorney

Connie Boesen, Mayor

Attest: I, Laura Baumgartner, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an Ordinance (Roll Call No. 26-0205), passed by the City Council of said City at the meeting held on February 9, 2026 and signed by the Mayor on February 9, 2026 and published and provided by law in the Business Record on February 27, 2026. Authorized by Publication Order No. 13239.

Laura Baumgartner, City Clerk