

ORDINANCE NO. _____

An ordinance amending Chapter 2, “Administration,” of the Dallas City Code by amending Article XXI-a; creating a commission on disabilities; providing functions, terms, and meetings of the commission on disabilities; providing definitions; providing duties and responsibilities of the commission on disabilities; providing a saving clause; providing a severability clause; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Article XII-a, “Reserved,” of Chapter 2, “Administration,” of the Dallas City Code is amended to read as follows:

**“ARTICLE XXI-a.
COMMISSION ON DISABILITIES [RESERVED].**

SEC[§]. 2-152.1. COMMISSION ON DISABILITIES - CREATED; FUNCTION; TERMS; MEETINGS.

(a) There is hereby created a commission on disabilities, which shall be an advisory body of 15 members. Each city council member shall have one appointment to the commission on disabilities. The mayor shall appoint the chair from among the members, subject to confirmation by the city council, and the full city council shall appoint the vice-chair.

(b) All members shall be appointed for an initial term to expire on _____. Thereafter, nominations shall begin in _____ and each subsequent odd-numbered year, and members shall serve a two-year term beginning on October 1.

(c) Twelve of the regular members of the commission on disabilities shall be residents of the city and persons with disabilities. The three remaining members must reside in the Dallas metropolitan area and represent persons with disabilities or have an interest in the rights of persons with disabilities and are known in the community as advocates for persons with disabilities.

(d) Members shall be broadly representative of the disabled community at large, without dominance by any single disability group.

(e) The membership shall have an interest in the community of disabled persons and shall share a commitment to the goals of the commission.

(f) The commission on disabilities shall meet at least six times a year and may hold additional meetings at the call of the chair.

SEC. [THRU] 2-152.2. DEFINITIONS.

In this article,

(a) DISABILITY means the same as the term is defined in the defined in the Americans With Disabilities Act of 1990, as amended.

(b) PHYSICAL OR MENTAL IMPAIRMENT means

(1) 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, or endocrine; or

(2) any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, or specific learning disabilities.

(3) the term includes, but is not limited to, such contagious and noncontagious diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic) and tuberculosis. Noncurrent drug addiction and alcoholism are included only to the extent that they are protected by the Americans with Disabilities Act of 1990, as amended. The term does not include homosexuality or bisexuality.

(c) MAJOR LIFE ACTIVITIES means the same as the term is defined in the Americans With Disabilities Act of 1990, as amended.

(d) REGARDED AS HAVING SUCH AN IMPAIRMENT means the same as the term is defined in the Americans With Disabilities Act of 1990, as amended.

SEC. 2-152.3. DUTIES AND RESPONSIBILITIES.

(a) The commission on disabilities shall be responsible for advising and making recommendations to the mayor, city council, city manager, department directors, and the individual designated by the mayor to head the mayor's initiative on disabilities on issues pertaining to the full spectrum of needs, rights, and privileges of people with disabilities.

(b) The subjects to be addressed by the commission on disabilities include, but are not be limited to:

- (1) Developing programs to provide employment opportunities for people with disabilities.
- (2) Developing programs to address accessibility issues.
- (3) Developing community-based programs to enhance the quality of life for Dallas residents who have disabilities.
- (4) Developing programs to address the issues pertaining to alcoholism and drug abuse.
- (5) Developing programs to take full advantage of all federal, state and local funding opportunities.
- (6) Developing programs to insure adequate housing for people with disabilities.
- (7) Developing programs to insure accessible communications for people with disabilities.”

SECTION 2. That Chapter 2 of the Dallas City Code shall remain in full force and effect, save, and except as amended by this ordinance.

SECTION 3. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 4. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 5. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By _____
Assistant City Attorney

Passed _____