

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[S]. 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 with respect to an individual, a physical or mental impairment that substantially limits one or more of the life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.

(b) PHYSICAL OR MENTAL 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, or endocrine; or any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, or specific learning disabilities. 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.

(c) MAJOR LIFE ACTIVITIES means functions such as caring for one's self, seeing, hearing, speaking, breathing, learning, and working.

(d) RECORD OF SUCH AN IMPAIRMENT means a person has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

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, department directors, and the individual designated by the mayor to head the mayor's office 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 limited to developing:

(1) programs to provide employment opportunities for people with disabilities;

(2) programs to address accessibility issues;

(3) community-based programs to enhance the quality of life for Dallas residents who have disabilities;

(4) programs to address the issues pertaining to alcoholism and drug abuse;

(5) programs to take full advantage of all federal, state, and local funding opportunities;

(6) programs to insure adequate housing for people with disabilities; and

(7) 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 _____