



TO: City Council
FROM: Stefanie Stalheim, City Attorney
DATE: February 28, 2024
SUBJECT: Ordinance Requiring Buildings Open to the Public That Have Received Public Funds From the City to Install At Least One Automatic Door For At Least One Main Entrance To The Building.

I. RECOMMENDED ACTION

Staff recommends the City Council review and consider passing the attached ordinance on first reading.

II. DEPARTMENT CONTACT PERSONS

Stefanie Stalheim, City Attorney 857-4755
Nick Schmitz, Assistant City Attorney

III. DESCRIPTION

A. Background

At the February 20 City Council meeting Alderman Podrygula directed staff to write a draft ordinance similar to [City of Mandan's Ordinance 111.2-9](#) and present it to the City Council for its consideration at the March 4, 2024 City Council meeting.

B. Proposed Project

The attached ordinance adopts similar language to what is found in the City of Mandan's Ordinance 111.2-9, with updates to modernize existing language and accommodate the City of Minot's existing ordinances.

C. Consultant Selection

No consultant retained.

IV. IMPACT:

A. Strategic Impact:

This ordinance will require buildings and businesses that are established for retail sale of goods and services, or that conduct commercial, governmental, financial, professional, or management functions that are open to the public, that receive public funds from the City, to install at least one automatic door for at least one main entrance to the building. There is a waiver provision in this ordinance that will allow for an exemption if the installation would be technically infeasible or if the installation would create an undue burden on the applicant as defined by federal law ([28 CFR 36.104](#)).

B. Service/Delivery Impact:

This ordinance will require buildings and businesses applying for public funds from the City to ensure they have at least one automatic door for at least one main entrance to their building.

C. Fiscal Impact:

Businesses and buildings applying for public funds will need to consider and comply with this ordinance when submitting their applications.

V. CITY COUNCIL ASPIRATIONS

Dynamic and Prosperous, Resilient and Prepared, Safe and Welcoming, Excellent and Connected

VI. ALTERNATIVES

- A. City Council could offer amendments to the proposed ordinance.
- B. City Council could decline to pass the proposed ordinance.
- C. City Council could table the ordinance.
- D. City Council could direct staff to bring back additional research and information for its consideration.

VII. TIME CONSTRAINTS

- A. Pending applications for public funds from the City will not need to comply with this ordinance until it is passed on second reading.

VIII. LIST OF ATTACHMENTS

- A. Proposed Ordinance