

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **ORDINANCE AMENDMENT** to Section 12½-43.2 to address failure to properly maintain or timely repair elevators in multifamily housing. (Chairperson of Commission on Disabilities)

REPORT: 1516-07

ADVICE: Approval

BACKGROUND

The Commission on Disabilities has heard from the Department of Services for Persons with Disabilities regarding New Haven residents with disabilities who have experienced frequent or long periods in which the elevator or elevators that service their homes have been out of service leaving them with little or no ability to either leave or return to their homes. There is a huge and disproportionate impact on residents and guests with disabilities when elevators are broken and in disrepair for extended periods, or when residents are not notified of planned service.

While all elevators need maintenance and repair, when the lack of maintenance predictably leads to frequent failures or the repairs are unnecessarily prolonged to avoid costs, landlords are putting disabled residents at risk and denying them access to and from their own homes. After reviewing the existing City ordinances and state codes and speaking with LCI, the Commission on Disabilities concluded that the City does not have adequate, viable enforcement tools to ensure that if an accessible feature such as an elevator breaks down, landlords will make repairs promptly and that improper or inadequate maintenance does not cause repeated failures. As a result, the proposed ordinance pertains to landlords who do not appropriately maintain and timely repair broken elevators in buildings that have disabled tenants who do not live on the first floor.

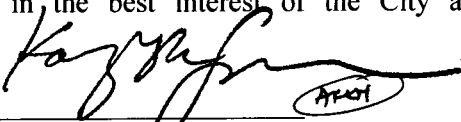
PLANNING CONSIDERATIONS

Elevators in disrepair are not simply an inconvenience, but rather a life safety issue. Failed elevator service also prevents disabled residents from performing essential daily life activities such as going to the doctor, picking up critical medication, voting, or meeting a child at the bus stop. Additionally, residents are unable to access food, attend to the needs of service animals, or attend worship services. Many times, home health services or therapists may not be able to reach residents if the agency is unwilling to use the staircases, which are often considered unsafe areas.

ADVICE

The Commission finds the Ordinance Amendment in the best interest of the City and recommends approval.

ADOPTED: March 16, 2016
Edward Mattison
Chair

ATTEST: 
Karen M. Gilvarg, AIA
Executive Director