

THE AMERICANS WITH DISABILITIES ACT (ADA) TICKETING POLICY (§ 35.138)

The City of Golden, CO will provide wheelchair spaces and companion seats that comply with sections 221 and 802 of the 2010 Standards along with any other seats required to be offered for sale to people with disabilities. The City of Golden will ensure that individuals with disabilities have an equal opportunity to purchase tickets for accessible seating when selling tickets for a single event or series of events at the City of Golden facilities. The City of Golden will ensure that people with disabilities will have an equal opportunity:

- (i) During the same hours;
- (ii) During the same stages of ticket sales, including, but not limited to, pre-sales, promotions, lotteries, wait-lists, and general sales;
- (iii) Through the same methods of distribution;
- (iv) In the same types and numbers of ticketing sales outlets, including telephone service, in-person ticket sales at the facility, or third-party ticketing services, as other patrons; and
- (v) Under the same terms and conditions as other tickets sold for the same event or series of events.

Identification of Available Accessible Seating

The City of Golden will, upon inquiry:

- (1) Inform individuals with disabilities, their companions, and third parties purchasing tickets for accessible seating on behalf of individuals with disabilities of the locations of all unsold or otherwise available accessible seating for any ticketed event or events at the facility;
- (2) Identify and describe the features of available accessible seating in enough detail to reasonably permit an individual with a disability to assess independently whether a given accessible seating location meets his or her accessibility needs; and
- (3) Provide materials, such as seating maps, plans, brochures, pricing charts, or other information, that identify accessible seating and information relevant thereto with the same text or visual representations as other seats, if such materials are provided to the general public.

Ticket Prices

The City of Golden will set the price of tickets for accessible seating for a single event or series of events no higher than the price for other tickets in the same seating section for the same event or series of events. The City of Golden will make available tickets for accessible seating at all price levels for every event or series of events. If tickets for accessible seating at a particular price level are not available because of inaccessible features, then the City of Golden will offer for purchase the percentage of tickets for accessible seating that should have been available at that price level (determined by the ratio of the total number of tickets at that price level to the total number of tickets in the assembly area), at that price level, in a nearby or similar accessible location.

Purchasing Multiple Tickets

- (1) The City of Golden will make available for purchase three additional tickets for seats in the same row that are contiguous with the wheelchair space, for each ticket for a wheelchair space purchased by an

individual with a disability or a third-party purchasing such a ticket at his or her request, if at the time of purchase there are three such seats available. The ADA's title II regulations require the City of Golden to provide no more than three contiguous seats for each wheelchair space. Such seats may include wheelchair spaces.

(2) When there are fewer than three such additional contiguous seat tickets available for purchase, and if the City of Golden allows patrons to purchase at least four tickets, the City of Golden will offer the next highest number of such seat tickets available for purchase and will make up the difference by offering tickets for sale for seats that are as close as possible to the accessible seats.

(3) When the City of Golden limits sales of tickets to fewer than four seats per patron, then the City of Golden will offer as many seats to patrons with disabilities, including the ticket for the wheelchair space, as it would offer to patrons without disabilities.

(4) When the City of Golden allows patrons to purchase more than four tickets, the City of Golden will allow patrons with disabilities to purchase up to the same number of tickets, including the ticket for the wheelchair space.

(5) When a group includes one or more individuals who need to use accessible seating because of a mobility disability or because their disability requires the use of the accessible features that are provided in accessible seating, the City of Golden will place the group in a seating area with accessible seating so that, if possible, the group can sit together. If it is necessary to divide the group, the City of Golden will divide the group so that the individuals in the group who use wheelchairs will not be isolated from their group.

Hold-and Release of Tickets for Accessible Seating

(1) The City of Golden may release unsold tickets for accessible seating for sale to individuals without disabilities for their own use for a single event or series of events only under the following, limited circumstances—

- (i) When all non-accessible tickets (excluding luxury boxes, club boxes, or suites) have been sold;
- (ii) When all non-accessible tickets in a designated seating area have been sold and the tickets for accessible seating are being released in the same designated area; or
- (iii) When all non-accessible tickets in a designated price category have been sold and the tickets for accessible seating are being released within the same designated price category.

(2) The ADA's title II regulations do not require a facility to release tickets for accessible seating to individuals without disabilities for their own use.

(3) The City of Golden will allow release of series-of-events tickets on a series-of-events basis, per the following:

- (i) When series-of-events tickets are sold out, where no ownership rights are attached, and the City of Golden releases and sells accessible seating to individuals without disabilities for a series of events, the City of Golden will establish a process that prevents the automatic reassignment of the accessible seating to such ticket holders for future seasons, future years, or future series. The City of Golden will ensure that individuals with disabilities who require the features of accessible seating and who become newly eligible to purchase tickets when these series-of-events tickets are available for purchase have an opportunity to do so.
- (ii) When series-of-events tickets with an ownership right in accessible seating areas are forfeited or otherwise returned to the City of Golden, the City of Golden will ensure that its practices and procedures afford individuals with mobility disabilities or individuals with disabilities that

require the features of accessible seating an opportunity to purchase such tickets in accessible seating areas.

Ticket Transfer

The City of Golden will permit individuals with disabilities who hold tickets for accessible seating to transfer tickets to third parties under the same terms and conditions and to the same extent as other spectators holding the same type of tickets, whether they are for a single event or series of events.

Secondary Ticket Market

(1) The City of Golden will ensure that an individual with a disability may use a ticket acquired in the secondary ticket market under the same terms and conditions as other individuals who hold a ticket acquired in the secondary ticket market for the same event or series of events.

(2) If an individual with a disability acquires a ticket or series of tickets to an inaccessible seat through the secondary market, the City of Golden will allow the individual to exchange his ticket for one to an accessible seat in a comparable location when accessible seating is vacant at the time the individual presents the ticket to the City of Golden.

(3) Consistent with the City of Golden CONTRACTORS, LICENSING, and CERTIFICATION POLICY, the City of Golden will ensure that any entity acting on behalf of the City of Golden in the sale or distribution of tickets for events at the City of Golden facilities will comply with all requirements of this policy.

Prevention of Fraud in Purchase of Tickets for Accessible Seating

The City of Golden will not require proof of disability, including, for example, a doctor's note, before selling tickets for accessible seating.

(1) For the sale of single-event tickets, the ADA's title II regulations permit the City of Golden to inquire whether the individual purchasing the tickets for accessible seating has a mobility disability or a disability that requires the use of the accessible features that are provided in accessible seating, or is purchasing the tickets for an individual who has a mobility disability or a disability that requires the use of the accessible features that are provided in the accessible seating.

(2) For series-of-events tickets, the ADA's title II regulations permit the City of Golden to ask the individual purchasing the tickets for accessible seating to attest in writing that the accessible seating is for a person who has a mobility disability or a disability that requires the use of the accessible features that are provided in the accessible seating.

(3) The ADA's title II regulations permit the City of Golden to investigate the potential misuse of accessible seating where there is good cause to believe that such seating has been purchased fraudulently.