



Watertown City Council

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6470

ORDINANCE # 2

2024 - O - 2

ORDINANCE ESTABLISHING CLOSED CAPTIONING ON CLOSED CAPTIONING TELEVISION RECEIVERS IN PLACES OF PUBLIC ACCOMODATION

WHEREAS: The Americans with Disabilities Act (ADA) was signed on July 26, 1990 by President George H.W. Bush which prohibits discrimination against people with disabilities in everyday activities and guarantees that people with disabilities have the same opportunities as everyone else to enjoy employment opportunities, purchase goods and services, and participate in state and local government programs; and,

WHEREAS: The Watertown City Council's Committee on Rules and Ordinances convened on April 3, 2023 and April 20, 2023 in a public meeting to discuss the implementation of requiring public facilities to display closed captioning in places of public accommodation; and,

WHEREAS: Ordinances for Business Regulations are established in Title XI of the City Watertown code;

NOW THEREFORE BE IT ORDAINED: That Title XI Chapter 117 of the Ordinances of the City of Watertown is established as follows.

Title XI Business Regulations

Chapter 117 Closed Captioning Activation

A. Purpose.

The Purpose of this ordinance is to expand accessible communication in places of public accommodation.

B. Definitions.

When used in this section, unless the context otherwise requires, the following terms shall have the following meanings:

1. "Closed captioning" means a transcript or dialog of the audio portion of a television program that is displayed on the bottom portion of a television receiver screen when the user activates the feature.

2. "Closed captioning television receiver" means a receiver of television programming that has the ability to display closed captioning, including but not limited to a television, digital set top box, and other technology capable of displaying closed captioning for television programming.
3. "Public area" means any part of a public facility that is open to the general public.
4. "Public Facility" shall have the same meaning as "place of accommodation", as defined in G.L. c. 272, § 92A, and as used in G.L. 272 §98, except as expressly limited by this Ordinance.
5. "Public entertainment venue" means a place that is open to the public for mass gathering for entertainment, regardless of whether or not a ticket or payment of any type is required for admission. The term includes, but is not limited to, cinemas, theaters, concert halls, sports centers, and festivals.
6. "Regular hours" means the hours of any day in which a Public Facility is generally open to members of the general public.

C. Activating Closed Captioning.

1. Any person owning or managing a public facility in the City of Watertown must activate closed captioning on closed captioned television receivers in use in any public area during regular hours.
2. Exception – This section does not require public entertainment venues to activate closed captioning on closed captioned television receiver.
3. This section does not require a public facility to make closed captioning available in a public area of the public facility if:
 - (a) no television receiver of any kind is available in the public area; or
 - (b) the only public television receiver available in the public area is not a closed-captioning television receiver.
4. Nothing in this ordinance shall be construed to imply an exemption from state and federal requirements, such as those for effective communication and reasonable accommodations required under the Americans with Disabilities Act.


D. Enforcement.

1. If a violation of Chapter 117 occurs, individuals can file a complaint with the City's ADA Coordinator.
2. The Commission on Disability shall work with the ADA Coordinator to help investigate complaints.
3. The ADA coordinator and the Commission on Disability shall have the authority to investigate complaints brought forward, including but not limited to conducting unscheduled inspections of public facilities, holding mediation sessions with public facilities and other interested parties, and providing guidance for bringing public facilities into compliance.



Council Member

I hereby certify that at a Meeting of the City Council for which a quorum was present, the above Ordinance was adopted by a vote of 4 for, 0 against, and 0 present on January 9, 2024.



Brendan T. McCarthy, Council Clerk



Mark S. Sideris, Council President

ELECTED OFFICIALS

Mark S. Sideris,
Council President

Vincent J. Piccirilli, Jr.,
Vice President &
District C Councilor

John M. Airasian,
Councilor At Large

Caroline Bays,
Councilor At Large

John G. Gannon,
Councilor At Large

Anthony Palomba,
Councilor At Large

Nicole Gardner,
District A Councilor

Lisa J. Feltner,
District B Councilor

Emily Izzo,
District D Councilor