

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

MAR 6 9 14 AM '00

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SO. DIST. OF GA.

DAVID WAYNE DAWSON, JR. and
FREDERICK C. MARSHALL,

Plaintiffs,

vs.

THE LADY & SONS, THE LADY
ENTERPRISES, INC., JAMIE
DEEN d/b/a The Lady & Sons,
and PAULA DEEN d/b/a The
Lady & Sons,

Defendants.

Civil Action No. 4:99-cv-00058

MANDATORY INJUNCTION ORDER

This is in follow-up to the Court's Order of February 22, 2000 granting plaintiffs' motion for summary judgment in this Americans with Disabilities Act suit and requiring, in general terms, construction of a ramp in compliance with the governing law to allow access into the restaurant operated by defendants. Following are the requirements the defendants must meet for construction of the said ramp, including specifications and a time-table.

1.

The maximum slope of the ramp shall be 1:12. However, if space limitations imposed by the sidewalk and height of the entranceway currently existing require a different slope, then a slope between 1:10 and 1:12 is allowed for a maximum rise of 6 inches, and a slope between 1:8 and 1:10 is allowed for a maximum rise of 3 inches. A slope steeper than 1:8 is not allowed.

2.

The minimum clear width of the ramp shall be 36 inches.

3.

The ramp shall have a level landing at the bottom and top of the ramp run. The landings shall have the following features: (1) The landing shall be at least as wide as the ramp run leading to it; (2) the landing length shall be a minimum of 60 inches clear; (3) if the ramp changes direction at either landing, the minimum landing size shall be 60 inches by 60 inches; (4) where the doorway is located at a landing, the area in front of the doorway shall comply with 4.13.6 of the ADAAG, which requires that the doorway shall have a minimum clear opening of 32 inches with the door open 90 degrees, measured between the face of the door and the opposite stop. The minimum clear width for single wheelchair passage shall be 32 inches at a point and 36 inches continuously.

4.

If The ramp run has a rise greater than 6 inches or a horizontal projection greater than 72 inches then it shall have handrails on both sides. Handrails shall have the following features: (1) Handrails shall be provided along both sides of ramp segments. The inside handrail on switchback or dogleg ramps shall always be continuous; (2) if handrails are not continuous, they shall extend at least 12 inches beyond the top and bottom of the ramp segment and shall be parallel with the floor or ground surface; (3) the clear space between the handrail and the wall shall be 1 - 1/2 inches; (4) gripping surfaces shall be continuous; (5) top of handrail gripping surfaces shall be mounted between 34 in and 38 inches above ramp surfaces; (6) ends of handrails shall be either rounded or returned smoothly to floor, wall, or post; and (7) handrails shall not rotate within their fittings.

5.

The cross slope of ramp surfaces shall be no greater than 1:50.

(2)

6.

The ramp floor surface shall be stable, firm, and slip-resistant.

7.

Ramps and landings with drop-offs shall have curbs, walls, railings, or projecting surfaces that prevent people from slipping off the ramp. Curbs shall be a minimum of 2 inches high.

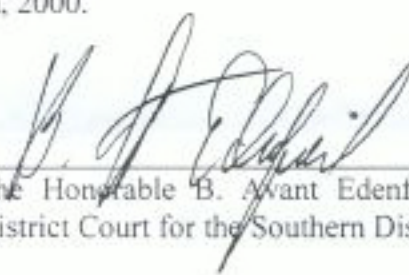
8.

Outdoor ramps and their approaches shall be designed so that water will not accumulate on walking surfaces.

9.

Defendants are granted thirty days from today to obtain drawings or specifications necessary to obtain a building permit. Defendants are granted sixty days from today to request bids and/or retain some person to construct the ramp. Defendants are granted ninety days from today to apply for a building permit. Defendants are granted 120 days from today to complete construction of the ramp.

SO ORDERED this 6 day of March, 2000.


The Honorable B. Avant Edenfield, Judge, U.S.
District Court for the Southern District of Georgia

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