

ADA Compliance and Accessibility on Municipal Websites



In 28 C.F.R. Part 35, Subpart H, federal law requires all public entities, including municipalities, must ensure that any web content and mobile apps that they publish are “readily accessible to and usable by individuals with disabilities.” 28 C.F.R. § 35.200(a). (<https://www.federalregister.gov/documents/2024/04/24/2024-07758/nondiscrimination-on-the-basis-of-disability-accessibility-of-web-information-and-services-of-state>)

Requirements

The new rule requires that state and local governments follow the Web Content Accessibility Guidelines (WCAG) Version 2.1 up to Level AA. The Justice Department selected Level AA as appropriate for state and local governments because it “contains other criteria that provide more comprehensive web accessibility, and yet (is) still achievable for most web developers.”

Some examples of Level AA accessibility requirements include providing captions for audio and video media, alternative descriptive text for images, and resizable text. You can review the Web Accessibility Initiative’s quick reference on How to Meet WCAG here: https://www.w3.org/WAI/WCAG22/quickref/?currentsidebar=%23col_customize&versions=2.1

These requirements will also apply to social media profiles that belong to municipalities. In many cases, local governments will be able to take advantage of features already available on social media platforms in order to comply with many of the requirements.

Deadlines for Municipalities to Comply

- Municipalities with populations of less than 50,000 people must comply with these new requirements by **April 26, 2027**.
- Municipalities with populations of 50,000 people or more must comply with these new requirements by **April 24, 2026**.

Exceptions

Web pages are not required to comply with WCAG Level AA Guidelines if they are:

- Archived web content which:
 - Was created before the municipality’s compliance deadline,
 - Is retained for reference, research, or recordkeeping only,
 - Is not altered or updated after the date it was archived, and
 - Is clearly identified as archival.
- Documents that are available before the municipality’s compliance deadline.
 - However, if citizens use a document to apply for, gain access to, or participate in the municipality’s services, programs, or activities, then it must comply with the ADA requirements.
- Content posted by a third party to a municipality’s website. However, if the third party posts the content on behalf of the municipality, or as part of an agreement with the municipality, then it must comply with the ADA requirements.
- Conventional electronic documents that are:
 - About a specific individual, their property, or their account; and
 - Password-protected or otherwise secured.
- A municipality’s social media posts which were already posted before the municipality’s compliance deadline.

For more information on complying with the new ADA web accessibility requirements, consult with your municipal attorney. If your municipality is in need of a web developer, consider contacting VC3, the Alabama League of Municipalities IT consulting partner since 2018.