

To: \_\_\_\_\_

From: \_\_\_\_\_

**Notice to all Entities Serving the Public:  
Public Accommodation Discrimination According to ADA Requirements**

**Notice to Agent is Notice to Principal and Notice to Principal is Notice to Agent**

I, \_\_\_\_\_, one of the People as seen in the Arizona State Constitution, Sui Juris, am giving you this notice that you and any and all of your agents and officers may be notified and give due care;

**Please Notice:** All 50 state Bills and Declarations of Rights are known as the Common Law and are applicable to all of the People;

**Please Notice:** I, one of the People, have an inalienable right to freely breathe and this inalienable right may not be impinged by an unconstitutional, discriminatory policy at any establishment of public accommodation;

**Statement of Facts**

**Please Notice:** No public entity (as defined in ARS 41- 1492 (12) and ARS 41- 1492.01), in any way associated with the People, may violate- ARS 41-1492 (1) which states- "Americans with disabilities act" means 42 United States Code sections 12101 through 12213 and 47 United States Code sections 225 and 611 and the ADA amendments act of 2008 (P.L. 110-325; 122 Stat. 3553);

**Please Notice:**

On, \_\_\_\_\_, 20\_\_\_\_ I became aggrieved when violations of Arizona Revised Statutes 41-1492.01, 41-1492.02 and the ADA laws associate with those statutes were violated as follows:

\_\_\_\_\_

\_\_\_\_\_. (Further information may added to the back of this document)

I notified (person at the site of the violations) \_\_\_\_\_ that if the cause of this discrimination is not corrected within thirty (30) days, a Public Accommodation Discrimination Complaint would be filed with the Civil Rights Division of the Arizona Attorney General.

**Verification**

I hereby declare, certify and state, pursuant to the penalties of perjury under the laws of the United States of America, and by the provisions of 28 USC § 1746 that all of the above and foregoing representations are true and correct to the best of my knowledge, information and belief.

Executed in \_\_\_\_\_, Arizona on this \_\_\_\_\_ day of \_\_\_\_\_ in the Year of Our Lord Two Thousand Twenty-three.

\_\_\_\_\_  
Autograph of Affiant

Notary as JURANT CERTIFICATE

**JURAT**

\*\*\*\*\*

\_\_\_\_\_ State }  
\_\_\_\_\_ County }

Subscribed and sworn to (or affirmed) before me

On this \_\_\_\_\_ day of \_\_\_\_\_ 2023(date) before me, \_\_\_\_\_  
A Notary Public, personally appeared \_\_\_\_\_ Name of Affiant, who proved to me on the basis of satisfactory evidence to be the man/woman whose name is subscribed to the within instruments and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her autograph(s) on the instrument the man/woman executed the instrument.

I certify under PENALTY OF PERJURY under the lawful laws of California State and that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary /Jurat \_\_\_\_\_  
Seal \_\_\_\_\_

#### 41-1492.01. Prohibition of discrimination by public entities

A. All buildings and facilities that are used by public entities and that are leased or constructed in whole or in part with the use of state or local monies, the monies of any political subdivision of this state or any combination of these monies shall conform to title II of the Americans with disabilities act.

B. This article applies to permanent buildings, additions to buildings, temporary buildings and emergency construction.

#### 41-1492.02. Prohibition of discrimination by public accommodations and commercial facilities

A. No individual may be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages or accommodations of any place of public accommodation by any person who owns, leases, leases to others or operates a place of public accommodation.

B. It is discriminatory to subject an individual or class of individuals on the basis of a disability or disabilities of that individual or class, directly or through contractual, licensing or other arrangements:

1. To a denial of the opportunity of the individual or class to participate in or benefit from the goods, services, facilities, advantages, privileges or accommodations of an entity.
2. To the loss of an opportunity to participate in or benefit from goods, services, facilities, privileges, advantages or accommodations that are not equal to those afforded to other individuals.
3. To a good, service, facility, privilege, advantage or accommodation that is different or separate from that provided to other individuals, unless the action is necessary to provide the individual or class of individuals with a good, service, facility, privilege, advantage, accommodation or other opportunity that is as effective as that provided to others. For the purposes of this subsection, "individual" or "individuals" refers to the clients or customers of the covered public accommodation that enters into the contractual, licensing or other arrangement.

C. Goods, services, facilities, privileges, advantages and accommodations shall be afforded to an individual with a disability in the most integrated setting appropriate to the needs of the individual.

D. Notwithstanding the existence of separate or different programs or activities provided in accordance with this section, an individual with a disability shall not be denied the opportunity to participate in programs or activities that are not separate or different. Nothing in this article shall be construed to require an individual with a disability to accept an accommodation, aid, service, opportunity or benefit that the individual chooses not to accept.

E. An individual or entity, directly or through contractual or other arrangements, shall not utilize standards or criteria or methods of administration that: **1.** Have the effect of discriminating on the basis of disability. **2.** Perpetuate the discrimination of others who are subject to common administrative control.

F. It is discriminatory to exclude or otherwise deny equal goods, services, facilities, privileges, advantages, accommodations or other opportunities to an individual or entity because of the known disability of an individual with whom the individual or entity is known to have a relationship or association.

G. For the purposes of subsection A of this section, "discriminated against" includes: **1.** The imposition or application of eligibility criteria that screen out or tend to screen out an individual with a disability or any class of individuals with disabilities from fully and equally enjoying any goods, services, facilities, privileges, advantages or accommodations, unless these criteria can be shown to be necessary for the provision of the goods, services, facilities, privileges, advantages or accommodations being offered. **2.** A failure to make reasonable modifications in policies, practices or procedures, if these modifications are necessary to afford these goods, services, facilities, privileges, advantages or accommodations to individuals with disabilities, unless the entity can demonstrate that making these modifications would fundamentally alter the nature of these goods, services, facilities, privileges, advantages or accommodations.

3. A failure to take such steps as may be necessary to ensure that no individual with a disability is excluded, denied services, segregated or otherwise treated differently than other individuals because of the absence of reasonable modifications in policies, practices or procedures or auxiliary aids and services, unless the entity can demonstrate that taking these steps would fundamentally alter the nature of the goods, service, facility, privilege, advantage or accommodation being offered or would result in an undue burden.

4. A failure to remove architectural barriers and communication barriers that are structural in nature in existing facilities and transportation barriers in existing vehicles and rail passenger cars used by an establishment for transporting individuals not including barriers that can only be removed through the retrofitting of vehicles or rail passenger cars by the installation of a hydraulic or other lift if the removal is readily achievable.

5. If an entity can demonstrate that the removal of a barrier under paragraph 4 of this subsection is not readily achievable, a failure to make these goods, services, facilities, privileges, advantages or accommodations available through alternative methods if these methods are readily achievable.

H. It is discriminatory for a private entity that operates a fixed route system and that is not subject to section 304 of the Americans with disabilities act to purchase or lease a vehicle with a seating capacity in excess of sixteen passengers, including the driver, for use on this system, for which a solicitation is made after September 30, 1992, that is not readily accessible to and usable by individuals with disabilities including individuals who use wheelchairs. If a private entity that operates a fixed route system and that is not subject to section 41-1492.04 purchases or leases a vehicle with a seating capacity of sixteen passengers or less, including the driver, for use on such system after September 30, 1992 that is not readily accessible to or usable by individuals with disabilities, it is discriminatory for this entity to fail to operate this system so that, if viewed in its entirety, this system ensures a level of service to individuals with disabilities, including individuals who use wheelchairs, equivalent to the level of service provided to individuals without disabilities. Fixed route and demand response systems do not apply to over-the-road buses. For the purposes of this subsection, "discriminatory" includes: **1.** A failure of a private entity that operates a demand responsive system and that is not subject to section 41-1492.04 to operate the system so that, if viewed in its entirety, the system ensures a level of service to individuals with disabilities, including individuals who use wheelchairs, equivalent to the level of service provided to individuals without disabilities. **2.** The purchase or lease by the entity for use on the system of a vehicle with a seating capacity in excess of sixteen passengers, including the driver, for which solicitations are made after September 30, 1992, that is not readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs, unless the entity can demonstrate that the system, if viewed in its entirety, provides a level of service to individuals with disabilities equivalent to that provided to individuals without disabilities. **3.** The purchase or lease of an over-the-road bus that does not comply with section 306(a)(2) of the Americans with disabilities act by a private entity that provides transportation of individuals and that is not primarily engaged in the business of transporting people and any other failure of the entity to comply with section 306(a)(2) of the Americans with disabilities act.

I. Nothing in this article requires an entity to permit an individual to participate in or benefit from the goods, services, facilities, privileges, advantages and accommodations of the entity if the individual poses a direct threat to the health or safety of others. For the purposes of this subsection, "direct threat" means a significant risk to the health or safety of others that cannot be eliminated by modification of policies, practices or procedures or by the provision of auxiliary aids or services.