

BusinessWeek

NOVEMBER 30, 1998

A PUBLICATION OF THE MCGRAW-HILL COMPANIES

Industries – Sports Arenas

SCORE ONE FOR THE DISABLED

Recent court rulings could improve seating for fans in wheelchairs, who are often shut out by cheering crowds

Dorsey Ruley is that rare Chicago Bulls fan who has never leaped from his seat at a Michael Jordan moment. Not when Jordan returned in 1995 after a baseball sabbatical. Not even when Jordan led the team to its fourth championship and cried at the memory of his father.

Emotional control has nothing to do with it. Ruley, 47, a product manager at Ameritech Corp. is a quadriplegic, bound to a wheelchair since '82. During every one of those moments, all he saw was a sea of standing, stomping, clapping fans at Chicago's United Center.

Help may be on the way. A series of court judgements and settlements around the nation in recent months could force arena owners to improve seating for the disabled. The latest lawsuit to be resolved was in Portland, Ore., where the Rose Garden will reopen for the NBA season – if there is one – with 101 newly elevated seats that allow average-size disabled people to see over the shoulders of average-size people in front of them. The past year has also brought resolution of disabilities-access lawsuits against arenas in Boston, Buffalo, Philadelphia, Broward County, Fla., and Washington.

For the better part of a decade, teams have been obsessed with maximizing stadium and arena revenues, building (or getting the public to build) facilities crammed with luxury suites and

premium seating that target the corporate dollar. Yet often, these new stadiums have fewer seats than the facilities they replaced. Many teams would rather turn fans away than show empty arenas – the better to create a sense of scarcity for game tickets. Fewer cheap seats also means more elite audiences. Whether you call it good business or demographic cleansing, the games are less accessible to the disabled, the elderly, and fans on budgets.

GHETTOS. The disabled have long been treated as a nuisance. Even in facilities built since 1992, when the Americans with Disabilities Act began requiring new arenas to reserve 1% of the seats for the disabled, they are shunted into so-called wheelchair ghettos in undesirable areas, usually in the corners on the concourse level.

“Just because you build something doesn't mean they'll come.”

**- Kevin G. McGuire
Chairman & CEO
McGuire Associates, Inc.**

Arena officials contend that there just isn't much demand for wheelchair seats. Only 11 disabled people and nine companions held seasons tickets to Portland Trailblazer games last season, and even with single ticket

purchases, the team doesn't sell all its wheelchair seats, says J. Isaac, a Rose Garden senior vicepresident. “We've never had a situation since we opened the building [in 1995] when we had to turn away a wheelchair patron,” he says.

The same goes at the other arenas across the country. Only 25% of the wheelchair seats at new facilities are being used, says Kevin McGuire, a New York consultant who works on access issues. Says McGuire “Just because you build something doesn't mean they'll come.” That's why arena owners are lobbying to revise downward the ADA requirement of 1%. In January, the Access Board, which works with the Justice Department to implement the ADA, is expected to release new guidelines that could cut the required seating in half, McGuire says.

Disabled groups are certain to fight any adjustment. They argue that with baby boomers approaching their retirement years, 1% is a reasonable figure considering that the life of a sports facility is 20 to 30 years. Besides, they say, who wants to go to a game if they can't see the most exciting moments? Make arenas friendlier and disabled attendance will spike up.

Not everyone is as dogged as Ruley, who has to take a freight elevator to and from the season-ticket holders restaurant area at half-time. “You literally roll in with the garbage,” he says. That's not the kind of pick-and-roll he comes to see at a Bulls game.

By Tom Farrey