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**WHAT PRICE ACCOMMODATION?** Federal and state laws governing accessibility for disabled customers are causing headaches for some West Coast restaurateurs

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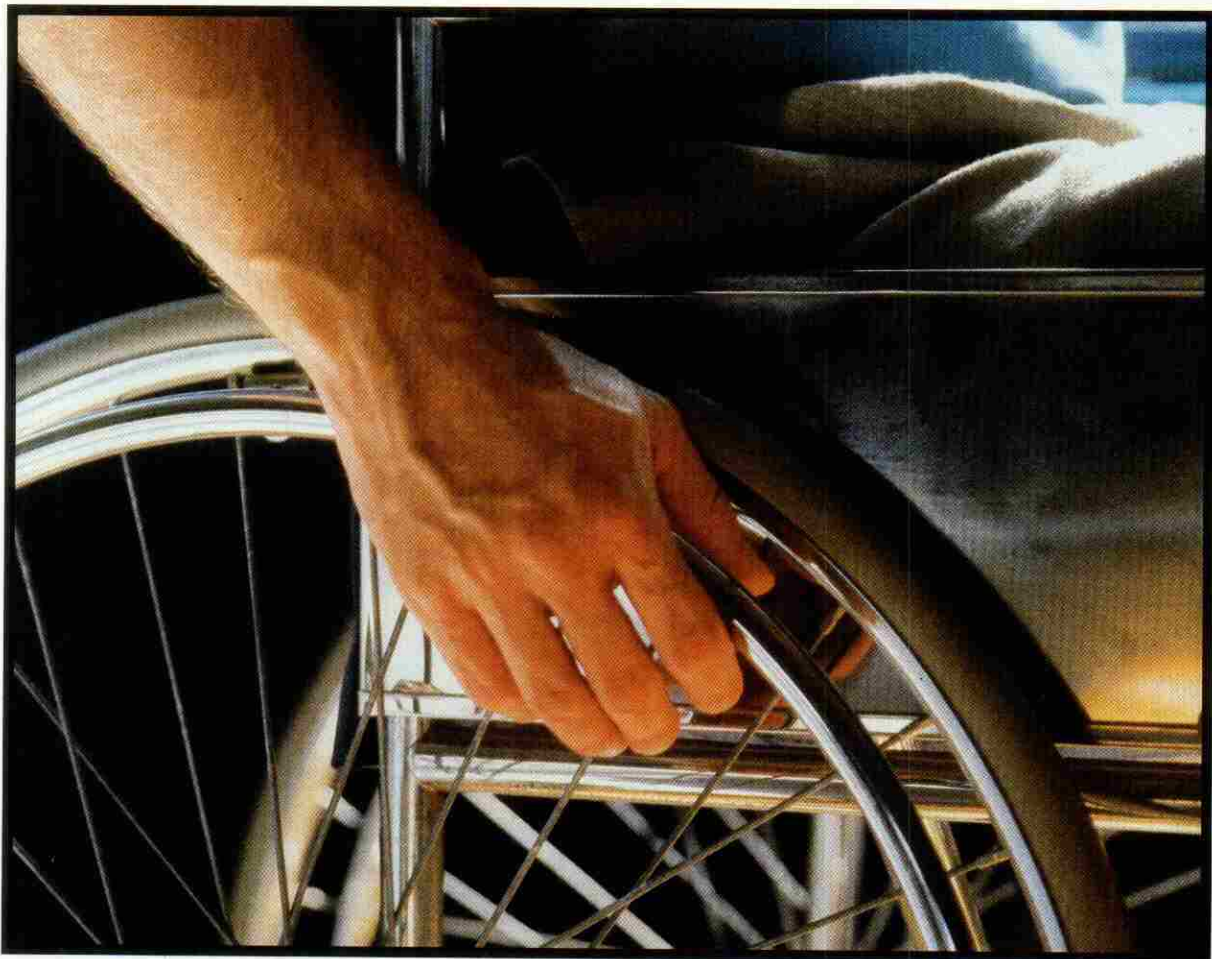
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## LAW

# California Copes with ADA

**T**he Americans with Disabilities Act spurred heated debate between restaurateurs and the government even before it went into effect in 1992. For many operators, complying with the ADA—which guarantees the disabled access to bars, dining rooms, employee work areas, and lounges—has meant spending long hours and a lot of money. It remains an especially sore subject today in California, where restaurateurs have been hit by a double-whammy of state and federal regulations.

California's Title 24 legislation, a forerunner of the ADA,

required new structures to provide wheelchair-accessible restrooms for the public. Any retrofitting of old structures had to comply with wider hallways and doorways.

**Double trouble:** In the wake of the ADA, Title 24 exceeds federal guidelines in some instances. Consequently, construction or retrofitting is now evaluated on a step-by-step basis in California and must conform to whichever code—federal or state—provides the greatest accessibility for the disabled.

Accessibility doesn't come cheap. According to the California

Restaurant Association, restaurateurs have provided a 360-degree turning radius for wheelchairs in restrooms, widened doorways, brought drinking fountains and phone booths down to wheelchair-accessible levels, and added ramps, elevators, and lifts—all as required by the ADA.

Compliance is not acceptance, however, and the ADA is still a bitter pill for some entrepreneurs to swallow.

"It's political correctness gone wild," complains Carlo Middione, chef/owner of San Francisco's new Vivande Ristorante.

The spacious 170-seater has



an open kitchen as the main focal point of the dining area. Middione is proud of the layout, but frustrated that the kitchen could not follow his original plans. He estimates that the final design cost him an additional \$20,000 to comply with the ADA and Title 24 requirements, taking into account delays in opening the restaurant.

Those in charge of enforcing the new standards insist that it's all relative.

"The law is interpreted on an individual basis," says Judith Lovell, a spokesperson for the Pacific Disability and Business Technical Assistance Center. "A mom-and-pop restaurant will have a smaller list of requirements than, say, the Getty Museum. We'll look at it and say, 'Can a portable ramp be put here? Can this door be widened?'"

"What does reasonable accommodation mean?" counters CRA spokesperson Stan Kyker. "What's reasonable—if it's fairly easy? There were laws here in California before that required accessibility. I would argue that the ADA wasn't necessary."

**Caught in the middle:** While both sides continue to go back and forth, disabled diners like Martin Ergas have been left to wonder what all the fuss is about.

A lawyer and venture capitalist in San Francisco, Ergas dines out twice a week and spends an average of \$1,000 a month in local restaurants. He has been confined to a wheelchair for 36 years, ever since part of a falling sign crushed his spine.

"Is it reasonable to ask me to go through a kitchen to get to a dining area? In most places, I think so," Ergas concedes. "To me, it's just a minor issue. . . . We went to Chez Panisse the other day, and I had to go through the side entrance. Realizing that there are so many inherent inequities in society, that to me is just not a big deal. Life is not equal."

—Courtney Weaver

**SAVVY**

# Don't Call Them "Foreigners"

**IN PREPARATION FOR THE 1996 OLYMPIC GAMES IN ATLANTA, the Atlanta Convention and Visitors Bureau has recommended some do's and don'ts for serving international visitors—for starters, don't call them "foreigners."**

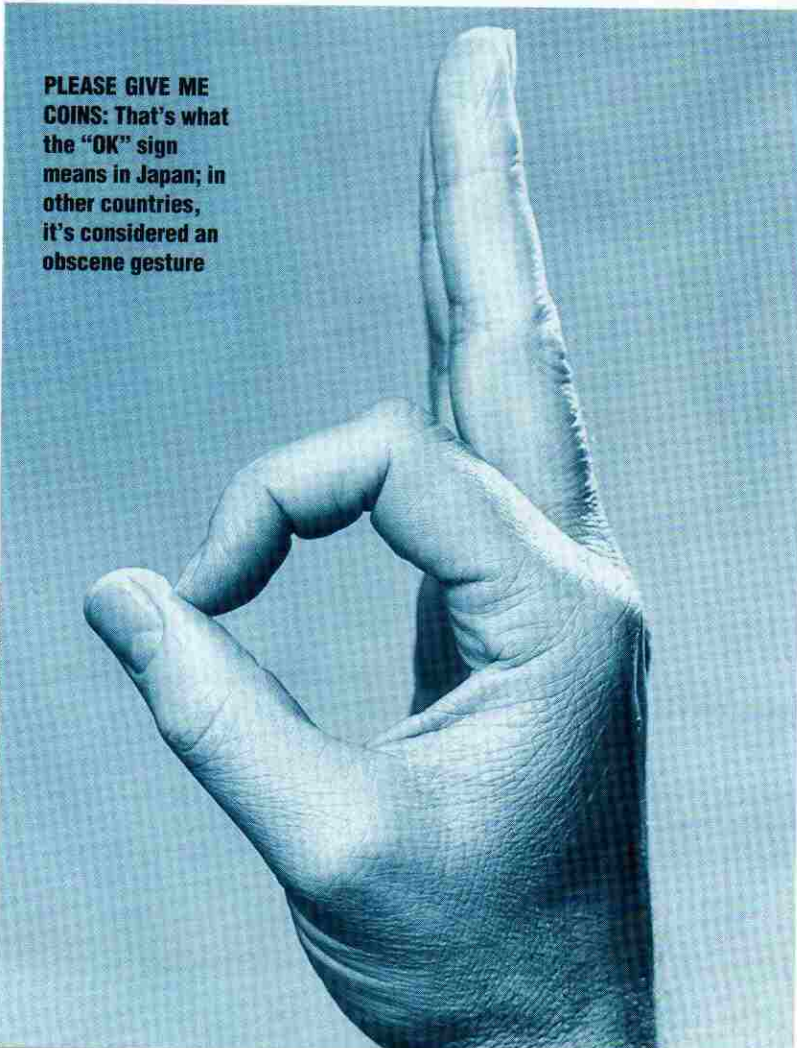
▶ **HAVE A SEAT:** Many visitors bring interpreters. This requires special seating arrangements. At a formal dinner the interpreter should be seated behind and between the guest and the host. At an informal dinner or luncheon, the interpreter should be seated to the right of the guest. While translating, they should only be served water.

▶ **ANY SPECIALS?** Be careful what you recommend. Arabs won't take kindly to being offered alcoholic beverages or any meat from a scavenger animal, and Muslims shouldn't be offered beef because they consider the cow sacred.

▶ **DINNER IS SERVED:** It's best not to serve food with the left hand. Arab, Asian, and African cultures view the left hand as "unclean."

▶ **THUMBS UP:** Be careful. The meaning of common gestures varies from culture to culture. The "OK" sign (rounding the index finger to the thumb) is an obscene gesture in Brazil and some Mediterranean countries; in Japan it means "Please give me coins." A "thumbs up" signifies "Up yours, mate" in Australia, the number five in Japan, and a plain old insult in Ghana.

▶ **TIPPING:** Many countries commonly tip as low as 5 percent or not at all, so it may be a good idea to include a tip percentage in check totals. —Jackie Orihill



**PLEASE GIVE ME COINS:** That's what the "OK" sign means in Japan; in other countries, it's considered an obscene gesture

RICHARD LAIRD/IFPG INTERNATIONAL

## Golden Girl

Ruth Fertel (center) has been named Foodservice Operator of the Year by the International Foodservice Manufacturers Association, which bestowed its Gold Plate Award upon the



Ruth's Chris Steak House founder. Since opening her first restaurant in 1965, Fertel has built a 46-unit chain that sells over 9,000 steaks a day and grosses \$135 million annually. On hand to congratulate her at the awards ceremony were IFMA President Michael Licata (right) and IFMA Chairman John McArdle (left).

