



Date: February 11, 2026

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Re: **Snow Removal and Sidewalk Inaccessibility after 2026
Winter Storm**

Disability Rights DC at University Legal Services (DRDC) is the designated Protection & Advocacy organization for the District. We are federally mandated to advocate for the civil rights of persons with disabilities and promote their equal access to the community. We are writing with concerns about the District's accessibility in the wake of the January 25, 2026 winter storm. We understand that the effects of this storm have been exacerbated by the subsequent deep freeze that has caused the snow and ice to linger, presenting significant challenges to snow removal. However, these conditions do not suspend the District's obligations under the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, the DC Human Rights Act, and District law regarding snow removal or excuse the District's non-compliance with these civil rights and local laws. Additionally, the District was aware or at least should have reasonably anticipated that there would be frozen rain and ice challenges based on widely-reported forecasts,¹ yet failed to take reasonable steps to mitigate these challenges (such as failing to pre-treat roads or sidewalks and failing to secure proper equipment to remove the snow and ice) ahead of the storm's impact. The District's failure to act reasonably and promptly to remove accessibility barriers due to the snow and ice has caused significant and particular issues for the disability community as many sidewalks in the District remain inaccessible over two weeks after the storm. This inaccessibility causes isolation and increased risk to health and safety for DC residents with disabilities and violates residents' civil rights.

¹ Executive Office of the Mayor, "Mayor Bowser Declares State of Emergency for Washington, DC Ahead of Major Winter Storm and Extreme Cold", (Jan. 23, 2026), available at [Mayor Bowser Declares State of Emergency for Washington, DC Ahead of Major Winter Storm and Extreme Cold | mayormb](#); Hurley, Amanda, "DC winter storm forecast: When will it stop, what's next?", Fox 5 Washington DC (Jan. 25, 2026), available at [DC winter storm warning: Snow turns to sleet; when will it end? | FOX 5 DC](#) ("Sleet accumulation, combined with freezing temperatures, is expected to further deteriorate road conditions through Sunday afternoon and evening. More freezing temperatures over the next several days means there will be little to no melting, which will likely extend travel disruptions and increase the risk of icy surfaces well after precipitation ends.").

The District has an absolute obligation to ensure that its sidewalks are accessible to individuals with disabilities. 42 U.S.C. § 12131 *et seq.*; 29 U.S.C. § 794 *et seq.*; D.C. Code § 2-1402.73; *see also* D.C. Code § 9-602 (“It shall be the duty of the Mayor of the District of Columbia...to cause such snow, sleet, and ice to be removed...from all paved sidewalks or crosswalks used as public thoroughfares...”). Maintaining the pedestrian right-of-way, which includes sidewalks, is a fundamental public transportation program, service, and activity that DDOT, DPW, and DGS provide for the benefit of District residents and visitors. Title II of the ADA and Section 504 of the Rehabilitation Act require the District to ensure its sidewalks are accessible. *Barden v. City of Sacramento*, 292 F.3d 1073, 1076 (9th Cir. 2002). Accessible sidewalks, curb cuts, and ramps are necessary for people with mobility disabilities to access and navigate the pedestrian right-of-way, a core mode of transportation in the District for people with disabilities. Inaccessible sidewalks prevent District residents with disabilities from independently, fully, and meaningfully participating in all aspects of society, including but not limited to employment, housing, education, transportation, public services, and recreation. Accordingly, failure to make the pedestrian right-of-way accessible constitutes discrimination against people with disabilities under federal law and the *Olmstead* integration mandate. *Id.*; *Olmstead v. L.C.*, 527 U.S. 581 (1999).

The District’s reliance on its “help your neighbors” policy² has failed to make the community accessible to DC residents with disabilities. We understand that the District’s Serve DC initiative has a Volunteer Snow Team that may help seniors and people with disabilities clear their sidewalks.³ However, individuals with disabilities should not have to rely on

² D.C. Code § 9-601 ; Mayor Bowser, FACEBOOK (Feb. 2, 2026, 1:21PM), <https://www.facebook.com/share/p/18LGuVFHCj/> (*attached* in Photo Appendix at p.6); DC Department of Public Works, FACEBOOK (Feb. 3, 2026, 2:33PM), <https://www.facebook.com/share/v/18A26v5ueq/>.

³ Thomas Mates, “DC suspends fines for not removing snow from sidewalks; shoveling still required”, WJLA NEWS (Jan. 28, 2026, 4:14AM), available at: [DC suspends fines for not removing snow from sidewalks; shoveling still required](#). Even though the District has begun to again enforce fines, (see Scott Gelman, “DC starts issuing fines for businesses, residents who haven’t cleared sidewalks,” WTOP NEWS (Feb. 7, 2026, 2:37PM), available at [DC starts issuing fines for businesses, residents who haven’t cleared sidewalks - WTOP News](#)), sidewalks remain uncleared and inaccessible – demonstrating that this policy, too, fails to guarantee accessibility and therefore fails to meet the District’s legal obligations.

the chance that volunteers will be available to make sidewalks accessible when it is the District's obligation to do so.⁴ Accordingly, the District's current policies are insufficient to meet its legal obligations to ensure sidewalks are accessible. See 292 F.3d at 1076.

It is DRDC's understanding that the District has focused its snow removal efforts on major roadways and the immediate downtown area but did not prioritize pedestrians and adjacent sidewalks or crossings. This has left many residential areas of the city still impassable. Sidewalks remain covered in snow and ice, even in busy commercial neighborhoods. For those streets where snow has been removed, the curb cuts connecting the streets to the sidewalks have become depositories for the snow because the District's plows pushed snow into curb cuts, practically rendering these accessible features as accessibility barriers.⁵ Even where some progress has been made to clear sidewalks, the District's delayed efforts to remove snow from alleys has often pushed snow back onto sidewalks rendering them inaccessible. As of February 9, fifteen days after the storm, the District was still working to clear Metro bus stops, shelters, and adjoining sidewalks.⁶ The delays in clearing the snow and ice have rendered our nation's capitol an inaccessible nightmare for individuals trying to traverse the area via sidewalk, road, or public transit.⁷

Individuals with disabilities rely on DC's pedestrian walkways and public transportation to access their community. When individuals are unable to leave their homes safely, some are forced to isolate – including missing medical appointments, work obligations, or school to remain safe. For example, DRDC is aware of a DC resident who uses a motorized scooter for mobility and has been unable to leave his apartment building since before the storm because his landlord still has not cleared the

⁴ See DC Department of Public Works, FACEBOOK (Feb. 3, 2026, 2:33PM), Dorothy Anderson Wade, comment (Feb. 4, 2026, 6:40PM) (“Senior citizen ward 4 still waiting for volunteers to clear sidewalk. Did what we could just like we did in 2024. We filled out request for help in both 2024 & 2025 and the city did call me just before the snow came and verified my information and assured us this year would be different...still have snow.”), <https://www.facebook.com/share/v/18A26v5ueq/>.

⁵ See NBC Washington, FACEBOOK (Feb. 5, 2026, 8:08AM), <https://www.facebook.com/share/v/1BqnR8qtg9/>; see also Photo Appendix at p. 3, 5, & 7.

⁶ District Department of Transportation, FACEBOOK (Feb. 5, 2026, 4:21PM), <https://www.facebook.com/share/v/1DAHojeYau/>; see also Photo Appendix at p.2.

⁷ See Photo Appendix at p. 1-5.

sidewalk by the ramp that serves the only accessible entrance to his building. Even if he were able to get to the sidewalk, the curb cuts on his block have been covered with snow and ice. He has several upcoming medical appointments and has no idea how he will even reach his medical transportation to get to those appointments. Others feel they have no option other than to risk their safety to travel throughout the District. For example, DRDC staff have witnessed several individuals in motorized wheelchairs navigating the city on the streets because they are unable to access sidewalks. DRDC was made aware of another wheelchair user who on February 9 (over two weeks after the storm), still had to navigate through city streets to reach the grocery store in her Columbia Heights neighborhood, despite using MetroAccess for transport. The snow and ice was piled so high at the curb in front of the store that MetroAccess could not lower the ramp to let her off the vehicle. Instead, MetroAccess had to drop this individual at the store's loading dock, which had no accessible pathway into the store except for her to navigate her way to the entrance on the city streets. This is clearly dangerous and the District has issued several social media posts warning the public against this.⁸ However, until the sidewalks are accessible, the District should expect increased risk of harm to individuals with mobility disabilities.

We urge the District to take immediate action to prioritize removing snow and ice from the sidewalks and curb cuts and to create an action plan that ensures future winter storms will not result in isolation, increased risk to safety, and inaccessibility for DC's disability community. At a minimum, the District should take immediate steps to reopen at least one accessible sidewalk route per block.

Please respond to this letter by February 18, 2026 with the specific steps the District will take to remedy the inaccessibility of the District's pedestrian-right-of-way and estimated timeline for completion. If you have any questions or comments, please contact me at 202-547-0198 ext. 102 or email us at emyerholtz@uls-dc.org and lniles@uls-dc.org.

⁸ District Department of Transportation, FACEBOOK (Jan. 28, 2026, 3:46PM), <https://www.facebook.com/share/v/15YWUrpPAnZ/>; D.C. Department of Transportation (@ddotdc), INSTAGRAM (Jan. 28, 2026), https://www.instagram.com/reel/DUEXnUTkXTA/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA==.

Sincerely,



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