Americans with Disabilities Act (ADA) Self-Evaluations / Transition Plans and Overview of Elements of Public Right-of-Way Accessibility
Americans with Disabilities Act (ADA) 
Self-Evaluations / Transition Plans and Overview of 
Elements of Public Right-of-Way Accessibility 

Spring 2018 

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Abstract

As the 28-year anniversary of passage of the Americans with Disabilities Act (ADA) approaches this July, it is critical that local governments recognize their obligation to establish and maintain accessibility to their programs, services and activities. ADA requires that public agencies perform self-evaluations and prepare transition plans to upgrade facilities for accessibility as needed, including streets, sidewalks and buildings. Transition plans were to have been completed by July 26, 1992 and updated periodically. The morning portion of the workshop examines the background to, contents of and enforcement of the self-evaluation and transition plan requirements. Several landmark court cases are also highlighted. Participants will leave the session with a “To Do” list of next steps they need to take and a toolkit of helpful resources, including a free Transition Plan template that is available from the Ohio LTAP website. The afternoon session overviews the current criteria for accessible public rights-of-way including the pedestrian access route, curb ramps and detectable warnings, accessible pedestrian signals, street furniture, on-street parking and temporary traffic control requirements for pedestrians.

Instructor

The instructor is Ronald W. Eck, P.E. Ron is Professor Emeritus of Civil Engineering at West Virginia University and Senior Advisor with the West Virginia Local Technical Assistance Program (WV LTAP). He has been involved in traffic engineering, including pedestrian transportation, for over 35 years.
ADA Self-Evaluations/Transition Plans and Overview of Elements of PROWAG

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Housekeeping Matters

- Emergency exits
- Rest rooms
- Cell phones
- Lunch
- Breaks
- Questions encouraged

Learning Outcomes

- Identify a local agency’s responsibilities under the ADA, Section 504 and other laws
- Create a self-evaluation and transition plan for their agency’s programs and facilities
- Become familiar with Ohio’s ADA Transition Plan Template
Learning Outcomes (2)

• Identify relevant disability access compliance standards and techniques for:
  -- facilities in the public right-of-way
  -- building facilities
  -- communications
• Evaluate an existing or planned facility for compliance with PROWAG

Session Topics--Morning

• Background/History of ADA
• Enforcement
• Some Significant Court Cases
• Self-Evaluations
• Transition Plans
• Case Study
• Using the Ohio Transition Plan Template
• Your ‘To Do’ List
Session Topics--Afternoon

- Overview of Specific Elements of Accessibility
  -- Pedestrian Access Route
  -- Curb Ramps and Detectable Warnings
  -- Accessible Pedestrian Signals
  -- Street Furniture and On-Street Parking
  -- Alternate Pedestrian Access Route
  -- Selected Elements of Building Facilities
  -- Communications/Signage

What Do You Think?
Background/History of ADA

Predecessors to ADA

• Civil Rights Act of 1964
• Architectural Barriers Act of 1968
  -- new federal facilities must be accessible
• Rehabilitation Act of 1973 (esp. Section 504)
  -- programs and facilities funded with federal money must be accessible
Americans with Disabilities Act

• Equal opportunity for individuals with disabilities
• Is a civil rights act
• Signed into law July 26, 1990
• All programs and new and altered facilities (regardless of funding) must be accessible
• USDOJ has ultimate compliance responsibility

ADA, the Act/Law—Parts

• Title I Employment
• **Title II State and Local Governments**
• Title III Public accommodation, private entities (e.g., retail, commercial, sports complexes, movie theaters)
• Title IV Telecommunications
• Title V Miscellaneous
Title II—State and Local Government

- Subpart A – General
- Subpart B – General Requirements
- Subpart C – Employment
- Subpart D – Program Accessibility
- Subpart E – Communications
- Subpart F – Compliance Procedures
- Subpart G – Designated Agencies

Subpart D – Program Accessibility

- 35.151 New Construction and Alterations
  “each facility ... constructed by, on behalf of, or for the use of a public entity shall be designed and constructed in such a manner that the facility ... is readily accessible to and usable by individuals with disabilities . . .”
What Do You Think?

Subpart E – Communications

• 35.160 General
  “A public entity shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others.”
What Do You Think?

ADA Accessibility Guidelines (ADAAG)

- Developed primarily for buildings & on-site facilities
- Do not address all situations (especially those that are unique to the public right-of-way)
Issues in Public R-O-W Not Adequately Addressed in ADAAG

- Pedestrian Access Route (e.g. allows sidewalk running slope to match roadway grade)
- Curb ramps – more design options
- Detectable warnings
- Crosswalks
- APS (Accessible Pedestrian Signals)
- On-street parking
- Roundabouts

Public Right-of-Way Accessibility Guidelines (PROWAG)

- Originally intended to supplement ADAAG to provide standards specific to public rights-of-way; now formatted as a stand-alone document
- Applicable to new construction and alterations (of existing facilities)
- Undergoing the rulemaking process (2011 Notice of Proposed Rule Making published w/ updated guidelines)
Alterations

• When public entity chooses to alter any of its facilities, the elements and spaces being altered must comply with current standards.
• Alteration defined as remodeling, renovating, rehabilitating, reconstructing, changing or rearranging structural parts or elements, changing or rearranging plan configuration of walls and full height or other fixed partitions, or making other changes that affect (or could affect) the usability of the facility.

Technical Infeasibility

• New Construction—structurally impractical due to terrain
• Alterations—jeopardize structural integrity
• Historic sites—threaten or destroy the historic significance of the building or facility
• Still need to provide alternate access route, accessible services or accessible facilities to “maximum extent feasible”
• Document all exception requests and decisions!
Enforcement

- US Department of Justice
  -- settlement negotiations first
  -- federal lawsuits second--$55,000 civil penalty, first offense

- US Department of Transportation (and other federal agencies)
FHWA Compliance Responsibilities

- Office of Civil Rights receives complaints and sets/implement policy
- Resource Centers assist complaint investigations & provide technical assistance and training
- Division Offices investigate complaints, provide technical assistance and other compliance activities

Enforcement (cont’d)

- US Access Board
  -- created by Section 502 of 1973 Rehab Act
  -- Min. Guidelines and Requirements for Accessible Design, 1982
  -- ADAAG published, 1991
  -- DRAFT PROWAG 2002, 2005, 2011 and ???
- Citizens/Citizen’s Groups
Some Significant Court Cases

Kinney v. Yerusalim (1993)

-- City resurfaced streets but without ramps
-- Court established broad definition of “alteration”
-- Court narrowly limited ADA’s “undue burden” language; applies only to existing facilities and the cost of providing accessible ramps is of no issue once an alteration is undertaken

- Went beyond curb ramps—removal of barriers, narrow pathways, abrupt level changes, excessive slopes. Overhanging obstructions and improvement of crosswalk access
- 20% of annual transportation fund for 30 years allocated to pedestrian accessibility
- Upgrades to ramps as part of alterations outside of the 20%

CDR v. Caltrans (2008)

- Californians for Disability Rights, Inc.
- CDR also asserted that Caltrans had failed to survey its 25,000 miles of sidewalk and therefore could not know what access barriers exist
- Lack of a Transition Plan constituted a violation of ADA by itself
DOJ Project Civic Access

- Reviews in 50 states, PR, DC
  -- 207 settlement agreements in 192 localities
  -- buildings, building sites
  -- public rights of way/sidewalks/ramps
  -- parking
  -- communications, websites, signage
- Goal is ADA compliance by counties, cities and towns

DOJ Project Civic Access

- DOJ v. City of Frederick, MD, 2004 pop 66,400
  -- 30 months, fix all curb ramps for roadways altered since January 1992
- DOJ v. Town of Warrenton, VA, 2011 pop 9600
  -- 3 years, fix curb ramps, training, etc.
- DOJ v. Craig Co. VA, 2002 pop 5200
  -- 1 to 3 years, install curb ramps at buildings

Note: Penalties, fees, external control of priorities
Additional Cases: Ohio Settlement Agreements . . .

DOJ v. City in Ohio (2006)

• Complaint alleged that structural barriers and other deficiencies made programs, services and activities offered in City’s municipal court building inaccessible to persons with mobility impairments. Later expanded to all City buildings and persons with disabilities.
• Scope of investigation expanded to compliance with several Title II requirements, including a self-evaluation and communications.
DOJ v. City in Ohio—
Sample of Remedial Actions

• Effective Communications—City will provide auxiliary aids and services, such as sign language interpreters, when necessary in public City meetings and court proceedings at municipal court building.

DOJ v. City in Ohio—
Sample of Remedial Actions (2)

• Structural Modifications: mun. court bldg.
  -- Since only 2 accessible spaces in 141-space lot, add 3 additional accessible parking spaces (at least one van-accessible space with 96-inch access aisle).
  -- in Courtrooms 1 & 2, change in level from courtroom floor to jury box is greater than ½-inch. Provide a compliant ramp.
DOJ v. County in Ohio (2003)

- Reviewed
  -- all public buildings constructed or altered after January 26, 1992, including justice center and branch libraries
  -- programs, services and activities operating in various facilities, including county health department, courthouse, prosecutor’s office, senior citizen’s building, library, animal shelter and children’s services.

DOJ v. County in Ohio (2)

-- access review of polling places, including township building, church and fire department. Review limited to areas of the facilities used by the voting public, e.g., parking, route from parking area to area used for voting and area used for voting.
DOJ v. County in Ohio—
Sample of Remedial Actions

• County to request in writing that each polling place owner/operator remove the noted barrier. Remediation to be completed within one year. Within 14 months, County will survey all facilities to determine if requested actions have been implemented. If not, within 18 months will identify alternate location.

DOJ v. County in Ohio—
Sample of Remedial Actions (2)

• Within 3 years, County will provide curb ramps at all intersections of streets, roads and highways having curbs or other barriers.
• Within 6 months, County will develop 2-hr training on ADA requirements and appropriate ways of serving persons with disabilities.
• Within 1 year, deliver this training to all employees who have direct contact with the public
What Do You Think?

Questions?
ADA Self-Evaluations/Transition Plans and Overview of Elements of PROWAG

Part 2

Matrix of ADA Requirements for Public Agencies

<table>
<thead>
<tr>
<th>ADA Compliance Item</th>
<th>Public Entity 50 or More Employees</th>
<th>Public Entity &lt;50 Part-Time Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Same ADA Compliance - Practices of accessibility to the services, programs and activities... 28 CFR 35.105(a)</td>
<td>Required</td>
<td>Required</td>
</tr>
<tr>
<td>Provide Public Notice – Make information and data available regarding the accessibility of the agency’s services, programs and activities... 28 CFR 35.106(b)</td>
<td>Required</td>
<td>Required</td>
</tr>
<tr>
<td>Conduct a Self-Evaluation – Students’ current needs, action and practices for ADA compliance, ongoing monitoring and supporting... 28 CFR 35.131(b)</td>
<td>Required</td>
<td>Required</td>
</tr>
<tr>
<td>Maintain documentation (for the Self-Evaluation, 3d and other services for public inspection for at least seven years... 28 CFR 35.131(c)</td>
<td>Recommended</td>
<td>Recommended</td>
</tr>
<tr>
<td>Prepare an ADA Transition Plan (28 CFR 35.124)</td>
<td>Required</td>
<td>Recommended</td>
</tr>
<tr>
<td>Adopt written Procedures (28 CFR 35.122)</td>
<td>Required</td>
<td>Recommended</td>
</tr>
<tr>
<td>Tracking of Compliance (28 CFR 35.123)</td>
<td>Required</td>
<td>Recommended</td>
</tr>
</tbody>
</table>
Matrix of ADA Requirements for Public Agencies

Title II of the Americans with Disabilities Act (ADA) requires all public agencies – regardless of size – to ensure that their services, programs and activities are accessible to persons with disabilities. Compliance includes conducting a self-evaluation of building facilities, rights-of-way facilities and communications to identify any accessibility obstacles or issues that need to be addressed. The matrix below provides an overview of the ADA requirements, with links to specific sections of the original regulations.

<table>
<thead>
<tr>
<th>ADA Compliance Item</th>
<th>Public Entity – 50 or More Employees</th>
<th>Public Entity – Less Than 50 Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>General ADA Compliance – <em>Provision of accessibility to public services, programs and activities</em> . . .</td>
<td>Required</td>
<td>Required</td>
</tr>
<tr>
<td><strong>28 CFR Sec. 35.130</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Provide Public Notice – <em>Make information publicly available regarding the ADA provisions and their applicability to the agency’s services, programs and activities</em> . . .</td>
<td>Required</td>
<td>Required</td>
</tr>
<tr>
<td><strong>28 CFR Sec. 35.106</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conduct a Self-Evaluation – <em>Evaluate current services, policies and practices for ADA compliance; and provide an opportunity for interested persons to participate</em> . . .</td>
<td>Required</td>
<td>Required</td>
</tr>
<tr>
<td><strong>28 CFR Sec. 35.105</strong> (a) and (b)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintain documentation from the Self-Evaluation on file and make available for public inspection for at least three years . . .</td>
<td>Required</td>
<td>Recommended</td>
</tr>
<tr>
<td><strong>28 CFR Sec. 35.105</strong> (c)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Designate an ADA Coordinator <strong>28 CFR Sec. 35.107</strong> (a)</td>
<td>Required</td>
<td>Recommended</td>
</tr>
<tr>
<td>Adopt a Grievance Procedure <strong>28 CFR Sec. 35.107</strong> (b)</td>
<td>Required</td>
<td>Recommended</td>
</tr>
<tr>
<td>Develop a Transition Plan <strong>28 CFR Sec. 35.150</strong> (d)</td>
<td>Required</td>
<td>Recommended</td>
</tr>
</tbody>
</table>

*Businesses and non-profit organizations are required to comply with accessibility requirements for places of public accommodation (see ADA Title III – 28 CFR Part 36.304).*
Self-Evaluations

Self-Evaluations (1)

- Required of all public agencies (28 CFR 35.105)
- Due date: January 26, 1993
- Public agencies shall:
  -- evaluate current services, policies, practices
  -- evaluate effects thereof that do not or may not meet ADA requirements
Self-Evaluations (2)

- Proceed to make necessary modifications
- Provide opportunity for participation in self-evaluation process
  -- including individuals with disabilities and organizations representing them

Self-Evaluations (3)

Public agencies employing ≥ 50 employees shall:
- Maintain SE on file and make available for inspection:
  -- list of interested persons consulted
  -- description of area examined/problems ID’d
  -- description of modifications made
- Prepare a Transition Plan (identifies corrective action)
Self-Evaluations (4)

Public agencies < 50 employees
• Must still do self-evaluation
• Should be documented
  -- list of interested persons consulted
  -- description of area examined/problems ID’d
• Does not have to be big deal
  -- something that substantiates that you know your barriers and are working on them

Public Outreach Programs

• Opportunities for disabled community and other parties to participate in developing TP is an integral part of process.
• Comments can be obtained through comment forms at meetings, transcriptions of meetings, a dedicated hotline, an email address (on website) or a postal address.
The Self-Evaluation—
Inventory of Existing Physical Barriers

• Possible Approaches
  -- on-ground surveys
  -- windshield surveys
  -- aerial photo studies
  -- drawing reviews

Remedial Measures

• Remedial measures necessary to bring programs, policies and services into compliance with Title II should be specified—including but not limited to:
Remedial Measures (2)

• Relocation of programs to accessible facilities
• Offering programs in an alternative accessible manner
• Structural changes to provide program access
• Policy modifications to ensure non-discrimination
• Auxiliary aids needed to provide effective communication

What Do You Think?
Transition Plans

≥ 50 Employees?

- Transition Plan required (28 CFR 35.150 (d))
- Deadline to complete—July 26, 1992
  -- ‘oops!’ is not an appropriate response
  -- recall CDR v. Caltrans
  -- if don’t have one need to do it now!
- Periodic (unofficial definition in Ohio is every 3 years) reviews and updates to TP must be conducted to ensure ongoing compliance
Transition Plan Should Be Living Document

• Update regularly to reflect changes in real world conditions
• Address any possible new areas of non-compliance
• For example, changes to a sidewalk like a newspaper vending machine or relocation of a light pole can create new access problems that were not evident when plan was drafted

What Do You Think? (1 of 2)
What Do You Think? (2 of 2)

Less than 50 Employees?

• Still required to ensure that your programs, services and activities are accessible to persons with disabilities

• In your community’s best interest to have a plan for managing accessibility
Transition Plan Contents

• List of physical obstacles that limit accessibility
• A detailed description of methods that will be used to remove barriers
• Schedule for taking necessary steps
• Name of official responsible for implementation
• Schedule for providing curb ramps
• Record of opportunity for participation in plan

What Do You Think?
Note on Transition Plan Contents

• Roadways and pedestrian facilities must have a curb ramp installation schedule as part of the transition plan

• Training is important tool for ensuring compliance with ADA requirements and completion of the TP

What Do You Think?
What Do You Think?

Schedule

• Setting priorities for implementation of upgrades is a requirement

• TP should include a year-by-year schedule of upgrades
Other Things to Consider in Developing A Transition Plan

- Develop a procedure for installation of accessible facilities
- Monitor the transition plan via milestones
- Provide an avenue for citizens to request curb ramps, APS, sidewalk repair
- Coordinate/incorporate transition plan with pedestrian master plan or bike-ped plan

Focus of the Transition Plan

Agency-managed pedestrian facilities in public ROW
- Sidewalks
- Pedestrian paths
- Curb ramps
- Street crossings and crosswalks
- Driveway crossings
- Pedestrian-Activated signal systems
- Public transit stops
What Do You Think?

Over 50 Employees?

Other things you must do:
• Designate an ADA Coordinator
• Develop and post an ADA Policy Statement
• Develop and post Grievance/Complaint Procedures
ADA Coordinator

- Designate responsible employee
  -- coordinate efforts to comply with ADA
  -- carry out responsibilities under ADA, including investigation of any complaints

- Public entity shall make available
  -- responsible employee name
  -- office address
  -- telephone number

Complaint Procedure

- Adopt and publish complaint procedures

- Provide for prompt and equitable resolution of complaints alleging any action that would be prohibited by ADA
And If I Don’t Do This?

- DOJ can visit you
- Transportation complaints investigated by FHWA or state DOT
- Lawyers visit you

What Do You Think?
Example—Frederick County, Maryland

- Complaint from resident
- MDSHA and FHWA investigate
- SHA warns
  -- fix accessibility problems
  -- or risk losing state/federal funding
- Self-evaluation—noncompliant with ADA
  -- 97% of 2,296 curb ramps
  -- 13% of 154 miles of sidewalk
- $10 million estimated price tag

Curb Ramp Priorities

- Generally, curb ramps first
- DOJ priorities
  -- non-compliant ramps constructed/ altered after July 26, 1990
    -- ramps serving state/local gov’t facilities
    -- ramps serving bus stops/transit/etc.
    -- ramps serving public accommodations
    -- ramps serving business districts
    -- ramps in residential areas
Other Factors to Consider in Prioritizing Improvements

- Citizen requests or complaints regarding inaccessible locations
- Pedestrian level of service
- Population density
- Presence of a disabled population
- Cost

After Self-Evaluation/Transition Plan (1)

- Follow the plan
  -- fund it
  -- issue work orders or contracts for work
  -- document your work/progress
- Must show continuous, reasonable, good faith effort
  -- never use the term “can’t afford it”
After Self-Evaluation/Transition Plan (2)

• If conditions change, change your plan
  -- funding changes
  -- priority changes
  -- community input

• Maintain the facilities

Maintenance of Accessible Features

• Title II (28 CFR 35.133(a)) of the ADA requires public entities to maintain equipment and features of facilities that are required to provide ready access to individuals with disabilities
Maintenance of Accessible Features (2)

- Poorly maintained facilities are not accessible or safe (e.g., buckled bricks, heaved sidewalk slabs, snow-/ice-covered sidewalk)

Surface Maintenance

- Sidewalk maintenance problems that can pose barriers for persons with disabilities include:
  - Buckled/cracked sidewalks
  - Depressed sidewalk segments
  - Overgrown vegetation
  - Snow/Ice accumulation
Equipment Maintenance

- Pedestrian Signals
  - Buttons, signal heads, APS operational

- Elevators/lifts
  - Operating mechanisms

What Do You Think?
Questions?

ADA Self-Evaluations and Transition Plans for Public Rights of Way

Part 3
Case Study

Source: Google Maps
Case Study

Severe Vertical Discontinuity

Vertical Discontinuity?

Source: Google Earth

Case Study

Slope, Drainage?

No Ramp

No Detectable Warnings

Source: Google Earth
Case Study

“Whistleblower” files complaint with FHWA and/or NYS DOT
FHWA requests copy of Village Transition Plan
None could be found – exhaustive, protracted search
Dec 2008 – Mayor submits intersection inventory to FHWA – map coded red, green, yellow
March 2009 – FHWA advises need for transition plan
Case Study

- Inventory/map
  - Green — have curb cut
  - Red — do not have curb cut
  - Yellow — no sidewalks and therefore no intersections requiring curb cuts

- Good start, says FHWA, but not a transition plan

- Transition Plan effective date September 10, 2013
Case Study

Let’s explore this example and see what we can learn from it...

Let’s Walk Through the Plan (1)

- **Cover title** - “...in the public right of way.”
  
  while our interest is often limited to PROW, the TP must address the agency’s “current services, policies, and practices,” i.e., its entire public program. What about accessibility of parks, government offices, schools, libraries, etc.?
Village of Lyons
76 William Street, Lyons, NY 14489
Phone: 315-946-4531, Fax 315-946-6206
Website: www.lyonsny.com

August 15, 2013

Americans with Disabilities Act Transition Plan:
Pedestrian Facilities in the Public Right-of-Way

[Icons representing accessibility: a walking stick, a wheelchair, a hand gesture, and a hearing aid]
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INTRODUCTION

The purpose of this plan is to ensure that the Village of Lyons creates reasonable, accessible paths of travel in the public right-of-way for everyone, including people with disabilities. The Village of Lyons has made a significant and long-term commitment to improving the accessibility of their pedestrian facilities. The Transition Plan identifies physical barriers and prioritizes improvements that should be made throughout the Village of Lyons. This Transition Plan describes the existing policies and programs to enhance the overall pedestrian accessibility.

LEGAL REQUIREMENTS

The federal legislation known as the American with Disabilities Act (ADA), enacted on July 26, 1990, provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation, and telecommunications.

Title II specifically applies to "public entities" (state and local governments) and the programs, services, and activities they deliver. Title II Article 8, requires public entities to take several steps designed to achieve compliance. The plan shall, at a minimum includes:

1. A list of the physical barriers in a public entity’s facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities.
2. A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible.
3. The schedule for taking the necessary steps to achieve compliance with Title II.
4. The name of the official responsible for the plan’s implementation.

Transition plans provide a method for a public entity to schedule and implement ADA required improvements to existing streets and sidewalks. Before a transition plan can be developed, an inventory of the current curb ramps and sidewalks must be developed.

OBSTACLES TO THE PUBLIC RIGHT-OF-WAY

The Village of Lyons has identified and assessed obstacles in the public right of way through the use of an Inventory Tool.

In order to remove these identified barriers to accessibility, the Village of Lyons utilizes many different approaches in removing barriers in the public right-of-way, including proactively identifying and eliminating the barrier, responding to public complaints, and ensuring the appropriate design and build-out of new construction following the most recent design guidelines.
**Barrier Removal Priorities**

The Village of Lyons bases barrier removal priorities on two factors: location and the accessibility condition of the intersection.

**Location Priority**

The Village has identified its location priority as follows:

1. Intersections serving government facilities,
2. Intersections serving commercial and employment centers, and
3. Intersections serving other areas.

**Accessibility Condition**

Using the data collected from the Inventory Tool, an accessibility condition can be determined.

**Priority Rank**

In order to determine the overall priority of an intersection, the following matrix was used.

<table>
<thead>
<tr>
<th>Access Condition</th>
<th>Location Priority</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Locations serving Government Facilities</td>
</tr>
<tr>
<td></td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Locations serving Commercial &amp; Employment Centers</td>
</tr>
<tr>
<td></td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Locations serving Other Areas</td>
</tr>
<tr>
<td>Red</td>
<td>1</td>
</tr>
<tr>
<td>Yellow</td>
<td>1</td>
</tr>
<tr>
<td>Green</td>
<td>1</td>
</tr>
</tbody>
</table>

The priority of improvements is based on identifying which of the intersections based on are high, medium, or low priority location and amount of barriers for removal found (red, yellow, and green).

**Public Complaint Process**

The public complaint process is an integral part of the Transition Plan. Public complaints or requests may often drive the prioritization of improvements. To file a complaint or a request regarding accessibility of a sidewalk or curb ramp, contact the ADA Coordinator in writing and describe the issue in detail, including the location. The ADA Coordinator will route this information to the appropriate village department for inspection and possible action. That department will then respond to the ADA Coordinator with its findings, and the ADA Coordinator will record the formal response and reply to the complainant/requestor. All complaints or requests will be kept on file and will include the response. Attachment B is a copy of the Village of Lyons' public Grievance Procedure for Pedestrian Facilities in the Public Right-of-Way.
NEW CONSTRUCTION & ALTERATIONS

In order to ensure the correct design of curb ramps, sidewalks, and crosswalks in new construction and alterations, the Village of Lyons follows NYSDOT design specifications (see Attachment A). Whenever there is an intersection improvement project or new construction project, any affected curb ramps, sidewalks, and crosswalks will be rebuilt to these ADA design guidelines, where feasible and reasonable.

SCHEDULE

As opportunity allows, the Village of Lyons will make efforts to improve the ADA Accessibility of pedestrian facilities in the public right-of-way. At this time, the Village of Lyons has allocated $3,000 annually for sidewalk improvements. There is a five year plan for streets to be scheduled for ADA compliance. Queen Street, Jackson Street, Catherine Street, Shuler Street, Franklin Street, Elmer Street, Maple Street. Note that this schedule is flexible, as changes may occur such as additional funding, storms, improvements due to power and electric companies, etc. There will be times when it is technically infeasible to provide technical compliance: for example, if clear space at the top of the ramp is obstructed by a building or the slope of a hill is so extreme as to prevent a reasonable slope for a ramp in both directions. The inventory process may not account for such situations and could show a high-priority rating when all feasible actions have been taken.

Additionally, given a program as broad and comprehensive as the Village’s pedestrian network, the Village will follow the concept of Program Access under Title II of the ADA. Program Access does not necessarily require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities, as long as the program as a whole is accessible. Under this concept, the Village may choose not to install a sidewalk at some locations (or to install them as a lower priority later), as long as a reasonable path of travel is available even without the sidewalk.

Responsible Individual

The official responsible for the implementation of the Village of Lyons’ ADA Transition Plan for the pedestrian facilities in the public right-of-way is:

Dennis Alvaro
ADA Coordinator
Phone Number: 315-946-4531
Fax Number 315-946-6206
The Village of Lyons provided opportunities for individuals to comment on this Transition Plan, which included:

- Document copies available and notices sent to local public libraries
- Document made available on the village’s website
- Open house and presentation at a public meeting the second Tuesday of each month and is scheduled for September 10, 2013

The Village of Lyons published legal notices in the major newspaper(s), Times of Wayne starting on April 14, 2013. The legal notices announced the availability of the Transition Plan draft at the Village Hall with easy public access. Hardcopies of the finalized plan will be available at the Village Hall and the Lyons Public Library. These notices also provided instructions regarding the timetable for comments and where to send them. Public comments were accepted for a period of no less than 30 days, and still being accepted today. Public comment form is available on Attachment C.

Formal adoption of the Transition Plan will take place on September 10, 2013. It will be available on the web and by written formal request to the ADA Coordinator.
ATTACHMENTS

A - Current List of Barriers for Removal in Priority Schedule Order
B- ADA Complaints Procedure
C- Public Comment and Response Form
D – ADA Policy Statement
<table>
<thead>
<tr>
<th>LOCATION</th>
<th>STREET ADDRESS</th>
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<td>Geneva &amp; Shuler</td>
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PUBLIC NOTICE
VILLAGE OF LYONS

Please take notice that the Village of Lyons is in the process of compiling an ADA (American with Disabilities Act) Transition Plan. The Village of Lyons invites the public to become involved in this process through written comments or attendance at Village Board meetings, held the second Tuesday of each month at 6:00 P.M. at the Village Hall, 76 William Street, Lyons, N.Y. (315-946-4531). The Mayor has appointed Deputy Mayor, Trustee Dennis Alvaro as Coordinator of the Village of Lyons ADA Transition Plan for pedestrian facilities in the public right-of-way. He can be reached at 315-946-4531 or by fax 315-946-6206 or filing a form to be provided at the Village Hall, 76 William St., Lyons, N.Y. 14489.

To file a complaint, request or offer suggestion regarding accessibility of a sidewalk or curb ramp, contact the ADA Coordinator who will route this information to the appropriate village department for inspection and possible action. The Coordinator will respond to the complainant/requestor.

BY ORDER OF THE VILLAGE BOARD
LYONS, NEW YORK.

Dated at Lyons, New York
April 11, 2013
Attachment C - PUBLIC COMMENT AND RESPONSE FORM

Date of Comment: ____________________________________________________________

Name of Person: ____________________________________________________________

Comment:
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Response:
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
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Introduction:

The purpose of this plan is to ensure that the Village of Lyons creates reasonable, accessible paths of travel in the public right-of-way for everyone, including people with disabilities. The Village of Lyons has made a significant and long-term commitment to improving the accessibility of their pedestrian facilities. The Transition Plan will identify physical barriers and prioritize improvements that should be made throughout the Village of Lyons. This Transition Plan will describe the existing policies and programs to enhance the overall pedestrian accessibility.

Legal Requirements:

The federal legislation known as the American with Disabilities Act (ADA) enacted on July 26, 1990 provides comprehensive civil rights protections to persons with disabilities in area of employment, state and local government services, and access to public accommodations, transportation and telecommunications. NYS Standards are followed.

Title II specifically applies to “public entities” (state and local governments) and the programs, services and activities they deliver. Title II Article 8, requires public entities to take several steps designed to achieve compliance. The Village plan will, at a minimum include:

1. A list of the physical barriers in a public entity’s facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities.
2. A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible.
3. The schedule for taking the necessary steps to achieve compliance with Title II.
4. The name of the official responsible for the plan’s implementation

The Village is in the process of identifying and assessing obstacles in the public right of way through the use of an Inventory Tool. Barrier Removal Priorities based on location priority and accessibility conditions will be a part of the inventory process. It is very important that the public be aware that their involvement in this plan is a valuable component to the Village in compiling a workable plan of compliance. Your involvement is solicited in developing the ADA Transition Plan.

PUBLIC COMPLAINT:

Public Complaint, Suggestions and Comments can also be an integral part of the Transition Plan. Public comments may often drive the prioritization of improvements. To file a comment or request please contact Dennis Alvaro, ADA Coordinator for the Village of Lyons at Village of Lyons, 76 William Street, Lyons, N.Y. 14489, (315-946-4531).

Public Input:
Public Comment and Response Forms are available on this website under ADA category. The Village of Lyons welcomes your participation and unique outlook as to how the Village can meet and exceed ADA
requirements and recommendations. Public involvement in the Village ADA plan has been a valuable component to the Village in compiling a workable plan of compliance. We continue to solicit your additions to the ADA Transition Plan.

An inventory of the Village of Lyons streets is included with this Transition Plan. The inventory is color coded to status of the ADA.

The plan to complete the ADA requirements is through an annual appropriations for materials to bring the sidewalk intersections into compliance. Plans are to complete the requirements as the Village authorizes paving projects and the barriers as designated and appropriate intersection corrections will be made.

The Village will complete sidewalk handicapped access at locations on Broad and Water Street this 2013-2014 fiscal year. In addition Queen Street from the intersection of Route 14 (Geneva Street to Butternut and Dickerson Streets) will be brought into compliance as needed per the attached inventory list. For the most part sidewalks left that need to be brought into compliance are residential locations within the Village. As stated above the Village will annually include ADA compliance with our paving projects. Our Downtown Historic Village, County of Wayne Campus and NYS Highways 14 and 31 have been completed.

Corrine Kleisle, Mayor
Lyons Village Board
8/15/13
Let’s Walk Through the Plan (2)

• *14 pages with attachment* seems appropriate; does not need to be thick, glossy document.

• p. 4, are the location priorities reasonable?

• *p. 4, “requests may drive prioritization”* is this reasonable?

Let’s Walk Through the Plan (3)

• *p. 4., “contact ADA coordinator in writing”* what if they can’t?

• *p. 5 “where feasible and reasonable”* don’t get too clever; DOJ and Courts may have a different definition

• *p. 5 “as opportunity allows”* does this demonstrate commitment?

• *p. 5 “$3000 annually”* reasonable? [2012-2013 Budget = $2,947,064.49, i.e., 0.1% of budget]
Let’s Walk Through the Plan (4)

• p. 5 “technically infeasible to provide technical compliance” again, be very careful with this and document, document, document!

• p. 5 Program Access see following slides

• p. 5 ADA coordinator is Deputy Mayor good idea? Authority? Independence? What happens after next election ... automatically the Deputy Mayor ... or vacant?

Let’s Walk Through the Plan (5)

• Attachment B appears there are options for filing a complaint...good

• Attachment D “plans are to complete the requirements as the Village authorizes paving projects” is this reasonable? What if they don’t pave for five years? What about other “alteration” projects?
Let’s Walk Through the Plan (6)

• Attachment D “... will complete sidewalk handicapped access ...” this is a derogatory term, whose use should be avoided. Better to say “accessible path” or “provide access for persons with disabilities” or “accessible parking.”

Case Study

...will be performing a project in the Village of Lyons that will retrofit existing sidewalk ramps constructed under a previous Department project with detectable warning fields. Construction will begin in July, 2010 and is expected to be completed December 2010. The Department of Transportation is funding this project. Your municipality will not incur any installation cost.
A Word About Program Access

- Referenced in Lyons Transition Plan
- Agencies must ensure access to services, programs, activities
- Public buildings, sidewalks, shared use paths, etc.
- Highest standard of accessibility reserved for new facilities
- Need not remove all barriers everywhere—provided facilities are accessible

What Do You Think?
Your “To Do” List

What Should You Do? (1)

• Self-Evaluation Done?
  -- No?
  -- Start that...tomorrow

• Transition Plan Required/Desirable?
  -- Done?
  -- No?
  -- Tomorrow
What Should You Do? (2)

- Self-Evaluation/Transition Plan Outdated?
  -- Update it
  -- Assess progress
  -- Public involvement

What Should You Do? (3)

- Each agency will have to tailor an approach to developing, updating and implementing a Transition Plan based upon their own needs and available resources
- Level of detail and content of the Plan will vary and be presented in a format that will be the most beneficial to them in implementing ADA
What Should You Do? (4)

- Grievance/Complaint Procedure
- Designate an ADA Coordinator
  -- independence? Authority?
- Public Involvement
  -- particularly those with disabilities
- Educate All Staff
  -- policies (internally and externally)
  -- resources and who to call for assistance

What Should You Do? (5)

- Fund Improvements
- Follow Up on Complaints
- Fulfill Requests for Facilities (curb ramps, sidewalks, ped signals, etc.)
What Should You Do? (6)

- When you alter a street, upgrade the curb ramps

What Should You Do? (7)

- Once you’ve built it, maintain it!
- Not only ADA, but civil lawsuits can result
- Ocean City, Maryland
  -- elderly woman fell from wheelchair
  -- caught chair on “rubber warning mat” (DW)
  -- DW worn at center and edge was curled up
  -- $750,000 lawsuit alleging negligence (failure to maintain properly) and ADA violation
A Resource for Local Governments in Ohio

ADA Transition Plan Template

Available online at:
https://www.dot.state.oh.us/Divisions/Planning/LocalPrograms/LTAP/Pages/ADA-Transition-Plan.aspx

*A printed copy of the template is included in the Appendix of this course book for reference.*

When You’ve Done the Following, You Are Ready to Prepare Your Transition Plan (with or without the template)

- Complete self-evaluation
- Identify what needs to be done to remove obstacles
- Prepare cost estimates for needed work
- Develop schedule of when work will be done
The Ohio ADA TP Template Can Help

- Provided in both PDF and MS Word formats
- Following the template, provides step-by-step guidance
- Adapt or modify the template to suit your agency’s needs

Keep in Mind

- Ultimate responsibility for ADA compliance rests with each agency or jurisdiction
- Don’t simply fill in the blanks in the template, be sure to think things through and provide additional documentation as appropriate
- Can you show your agency is making a good faith effort to make its facilities accessible?
- Review completed TP with agency counsel and risk management team prior to implementation
Let’s Walk Through the Template  

*See Appendix for printed copy.*

- Cover Page
- Introduction
  -- Transition Plan Need and Purpose
  -- ADA and Its Relationship to Other Laws
  -- Agency Requirements
- Designation of Responsibility

Let’s Walk Through the Template (2)

- Self-Evaluation
  -- Overview
    * communications, information and signage
    * building facilities
    * pedestrian facilities
  -- Process and Findings
    * detailed inventories and findings go in Appendices
Let’s Walk Through the Template (3)

- Communications, Information & Signage
  -- notes the requirements
  -- be sure to include APS and signs, markings and barricades used for construction, maintenance, utility and work areas that affect sidewalks, crosswalks and other ped access routes
  -- list recent accessibility improvements
  -- include an Improvement Schedule

Let’s Walk Through the Template (4)

- Building Facilities and Related Parking Lots
  -- identify buildings for which responsible
  -- list recent accessibility improvements
  -- include an Improvement Schedule
Let’s Walk Through the Template (5)

• Pedestrian Facilities/Public Rights-of-Way
  -- identify facilities and present evaluation
  -- recent accessibility improvements
  -- methods for upgrading to current standards
  -- policy (design, individual accommodation, maintenance)
  -- priority areas
  -- external agency coordination
  -- include an Improvement Schedule

Let’s Walk Through the Template (6)

• Public Outreach
• Public Notice of ADA Outreach and Grievance Procedure
• Progress Monitoring and Transition Plan Management
• Formal Adoption of ADA Transition Plan
Let’s Walk Through the Template (7)

• Appendices
  -- self-evaluations of the 3 categories
  -- Schedule and Budget Information
  -- Public Outreach
  -- Public Notice
  -- Contact Information
  -- Agency Design Standards and Compliance
  -- Glossary of Terms

What Do You Think?
Resources

- Handout includes two-page document with web links to technical and legal resources on ADA and PROWAG.
- Ohio ADA Transition Plan Template

Questions?
ADA Self-Evaluations/Transition Plans and Overview of Elements of PROWAG

Part 4

Overview

• Pedestrian Facilities in the Public Right-of-Way (PROWAG)
• Building Facilities (ADAAG)
• Communications, Information and Facility Signage (ADAAG)
Elements of Public Right-of-Way Accessibility

- The Pedestrian Access Route
- Curb Ramps
- Detectable Warnings
- Pedestrian Crossings
- Accessible Pedestrian Signals
- Maintenance and Temporary Traffic Control

Components of Pedestrian Access Route (R302.2)

- Walkways
- Ramps
- Curb ramps (excluding flared sides) & landings
- Blended transitions
- Crosswalks
- Pedestrian overpasses & underpasses
- Elevators and platform lifts
Width (R302.3)

- The MINIMUM continuous and unobstructed clear width of a pedestrian access route shall be 4.0 feet, exclusive of the width of the curb.

5 feet provides for two people to walk comfortably side by side (or to pass each other)
Width—Passing Spaces (R302.4)

- Walkways in pedestrian access routes that are less than 5.0 ft in clear width shall provide passing spaces at intervals of 200 ft maximum. Pedestrian access routes at passing spaces shall be 5.0 ft wide for a distance of 5.0 ft.

Pedestrian Zone

- Area reserved for pedestrian travel includes “pedestrian access route”
- Must be free of obstacles, protruding objects
- PROWAG - 4 ft min
Limits of Protruding Objects

- Objects above headroom clearance can protrude any amount.
- Protruding objects cannot reduce the minimum width of accessible route.
- Objects with leading edges within cane sweep can protrude any amount.

R302.6 Walkway Cross Slope

- The cross slope of the walkway of a pedestrian access route shall be 2 percent maximum.
Cross Slope Challenges

Sometimes building elevations make it difficult to create a proper cross slope

Cross Slope Solutions

Create a level area of preferably 6 feet (4 feet min.)
Cross Slope Solutions

Grade (R302.5)

• In ROW and along road or bridge: follow general parallel roadway grade

• In ROW and not along road (i.e. pedestrian over/underpasses): Provide ramp, lift or elevator per R407 (R204.4)

• Crosswalk grade (street crown): 5% maximum (R302.5.1)
Sidewalk Not Along Road, Max Grade = 5%

Driveway = Major Cross Slope Challenge

At noncompliant driveways, sidewalk users encounter:

• Steep cross slopes
• Rapid grade change at driveway flare
Design Solutions for Sidewalks at Driveways

• Accessible driveway requires level pedestrian access route:
  – Cross slope: 2% maximum
  – Width: 4’ minimum (PROWAG)

• Factors to consider when choosing accessible driveway option:
  – Sidewalk width
  – Planter strip width
  – Curb height
  – Available right-of-way
  – Driveway design vehicle

Inaccessible Design – Constant Steep Slope Across Planter Strip and Sidewalk

7%
Good Solution – Level Accessible Route at Back of Wide Sidewalk

PROWAG specifies 4 ft. min. level area

R302.7--Surfaces

Surfaces shall be firm, stable and slip resistant
R302.7.1 Vertical Alignment

- Generally planar within pedestrian access routes (including curb ramp runs, blended transitions, turning spaces, & gutter areas)
- Grade breaks shall be flush

Vertical Alignment

- If changes not addressed, can be tripping hazards
- Can be inaccessible to wheelchair users
R302.7.2 Vertical Surface Discontinuities

- Vertical surface discontinuities shall not exceed ½ inch maximum
- Those between ¼ and ½ inch shall be beveled with a slope not steeper than 50% (bevel across the entire vertical surface discontinuity)

Minimizing Changes in Level

Temporary repairs often don’t meet standards but is better than leaving it as is
Best Practice: Concrete in the Pedestrian Zone, Textured Surface in Furniture Zone

R302.7.3 Horizontal Openings

Walkway Joints & Gratings - Openings shall not permit passage of a sphere more than 0.5 inch in diameter. Elongated openings shall be placed so that the long dimension is perpendicular to the dominant direction of travel.
R304 Curb Ramp Components

Curb Ramp Conundrum

- Curbs: cue for pedestrians who are blind or with low vision
- Curbs are a barrier for persons in wheelchairs
- Curb ramps remove the barrier for wheelchairs
- Detectable warnings are a “replacement” cue to indicate location of the street
Curb Ramp Components - Visual and Tactile Contrast

• Detectable warnings (truncated domes)
  – Visual
  – Tactile

High Color Contrast
Low-Vision Cue

Curb Ramp Alignment

• Curb ramps aligned with crosswalks help wheelchair users orient themselves to cross the street
• On small radius corner, curb ramp can be aligned with crosswalk and be perpendicular to curb
Curb Ramp Alignment

- Large radius placement

![Skewed Intersection with "Large" Radius]

R304 Curb Ramp Grade (Running Slope)

- Recommended maximum grade to allow for construction tolerance – 7.1%
- Maximum grade – 8.3%
- Least slope possible is preferred
- When “chasing grade,” running slope length need not exceed 15’, but slope must be uniform (R304.2.2 and R304.3.2)

![Curb Ramp Grade Diagram]
R304.2.2 Curb Ramp Length

Ramp Length = \( \frac{\text{curb height}}{\text{(ramp slope) - (sidewalk cross slope)}} \)

- Sample ramp length calculation (6-inch curb height)
  - Curb height / (8.3% - 2%) = Ramp Length
  - Higher curb or flatter ramp grade = longer curb ramp

R304.5.4 Change of Grade (Counterslopes)

Abrupt changes of grade are difficult to use and can cause wheelchairs to flip over backward or forward.
Change of Grade (Counterslopes)

• PROWAG allows 8.3% ramp plus 5% grade at the adjacent street = 13.3%

• Best Practice:
  – If algebraic difference exceeds 11%, provide a 2 foot level area at base of curb ramp

R 304.5.1 Curb Ramp Width

• PROWAG min: 4’
• Wider ramps are better: full crosswalk or sidewalk width
Turning Space

Without a turning space, user must turn while climbing, which is difficult for many users, and not compliant with the ADA.

R304.2.1 & R304.3.1 Turning Space

• Min. 4.0 ft. by 4.0 ft. turning space shall be provided at top of curb ramp and shall be permitted to overlap other landings and clear space.
R304.5.5 Clear Space

Bottom of curb ramp must have 48 x 48 inch clear space wholly outside the parallel vehicle travel lane and within the crosswalk.

R304.2.3 Perpendicular Curb Ramp Flares

- Flared sides with a slope of 10 percent maximum, measured parallel to the curb line, shall be provided where a pedestrian circulation path crosses the curb ramp
- Flares are not part of the pedestrian access route.
Advisory R304.2.3 No Flare Sides

- Returned curbs provide useful directional cues when aligned with pedestrian street crossing
- Flares are not needed if the sides of the curb ramp are protected from cross travel by landscaping, street furniture, chains, fences or railings

Flared Sides

Flared sides not needed in landscaped areas
Best Practice - Drainage at Curb Ramps

- To prevent standing water at the base of curb ramps:
  - Place inlets upstream of ramps
  - Widen the gutter pan and flatten at the curb ramp
  - The gutter pan counter slope must be flatter than the running slope of the curb ramp; a steeper gutter cross slope can resume outside the curb ramp

R302.7 Surfaces

Curb ramp surface should be smooth; texture makes them hard to climb

Poor Design  Better Design
R304.2 Perpendicular Curb Ramps

- Perpendicular curb ramps shall have a running slope that cuts through or is built up to the curb at right angles or meets the gutter grade break at right angles.
- Min. 4’x4’ turning space at top of ramp
- Flared sides if cross travel permitted
- Grade: 5 – 8.3%

Perpendicular Curb Ramp Alignment
R304.5.3 Perpendicular Curb Ramp Cross Slope

- Cross Slope (R304.5.3 as published)
  - If Stop/Yield control: 2% max.
  - If Signal/uncontrolled/midblock: match street grade

- Cross Slope (expected revision)
  - If Stop/Yield control: 2% max.
  - If Signal/uncontrolled: 5% max.
  - Midblock: match street grade

R304.3 Parallel Curb Ramps

- Parallel curb ramps shall have a running slope that is in-line with the direction of sidewalk travel.
- Min. 4’x4’ turning space at bottom of ramp
- Grade: 5 – 8.3%
R304.5.3 Parallel Curb Ramp Cross Slope

Cross Slope (R304.5.3 as published)
- If Stop/Yield control: 2% max.
- If Signal/uncontrolled/midblock: match street grade

Cross Slope (expected revision)
- If Stop/Yield control: 2% max.
- If Signal/uncontrolled: 5% max.
- Midblock: match street grade

R304.4 Blended Transitions

• Running slope - 5 percent maximum
• No turning space is required
• Cross Slope as published (same revisions expected)
  – If Stop/Yield control: 2% max.
  – Otherwise: 5% max.
Blended Transitions

- Advantages
  - No turning space required

- Disadvantages
  - Children, persons with cognitive impairments, guide dogs may not distinguish street edge
  - May allow turning vehicles to encroach onto sidewalk

Diagonal (single) Curb Ramp

- Diagonal curb ramp is a single ramp located at the apex of the corner that serves both crosswalks
  - **Unacceptable in new construction**
- May be OK for alterations
- Curb ramp must land within the crosswalk that it serves; diagonal curb ramps don’t and are not permitted under 2011 NPRM
Diagonal Curb Ramp

- Disadvantages
  - Forces wheelchair users out of crosswalk
  - Causes persons who are blind or with low vision to cross diagonally – projecting pedestrians into the center of an intersection
  - Do not serve either crosswalk well

Combination Ramps
An Example

Existing Condition

Possible Solution 1
Questions?
ADA Self-Evaluations/Transition Plans and Overview of Elements of PROWAG

Part 5

Detectable Warnings

Detectable warnings alert pedestrians with visual impairments about the sidewalk to street transition.

[Image of detectable warning]

[Image of sidewalk and street transition]
Truncated Domes

- Due to unique design, truncated domes are detectable by cane and under foot
- Dome size & spacing are very specific (R305.1 & R305.2)
- Several types of products; manufacturers across the country
- Best practice: Avoid surface-applied products in new construction so no unnecessary lip is created at the product edges.

R305.1.3 Visual Contrast

- Good contrast, but avoid black since can be perceived as a hole in walkway.
Advisory R305.2.1 Directional Perpendicular Ramp

- Place DW at grade break if level landing at bottom of ramp is less than 5’ deep
- Place DW on bottom landing if landing is more than 5’ deep at any point

R305.2.2 Parallel Ramp
R305.2.3 Blended Transitions

Proper Placement of Truncated Domes
Crosswalk Markings

- The MUTCD provides for design options, however, research and observation indicate that the continental and ladder designs are the most visible to drivers

- These “longitudinal” markings also improve guidance for pedestrians with low vision and cognitive impairments

Crosswalk Markings

- What the pedestrian sees

- What the driver sees
Textured Crosswalks

- Textured crosswalks are not recommended (but are not prohibited)
  - If used, comply with R302.7.2 Vertical Surface Discontinuities
- Textures are aesthetically pleasing and are used to:
  - Distinguish pedestrian and vehicle space
  - Make crossings more visible in theory, but...

Textured Crosswalks

- If textured crosswalks are used, outline with white retro-reflective transverse marking (per MUTCD)
Crosswalk Design Details

• Crosswalks are part of the PAR.
• Cross-slope:
  – 2% max if Stop or Yield control on approach
    R302.6
  – 5% max if signalized or uncontrolled on
    approach   R302.6.1
  – Equal street grade at mid-block crossings
    R302.6.2
• Smooth slip resistant surface with running
  grade of 5% maximum R302.5
• Width: 10’ recommended to ensure ramps
  are in crosswalk; 6 ft min per MUTCD

Inaccessible Crosswalk: Exaggerated Crown
Exceeds 5% and Even 8.3% slope
R302.3.1 & R305.2.4 Medians and Pedestrian Refuge Islands

- Medians & Pedestrian Refuge Islands shall:
  - contain a pedestrian access route at least 5’ wide
  - be 6-feet minimum in length in the direction of pedestrian travel for refuge

R305.2.4 Pedestrian Refuge Islands

- At island cut-through, provide 2’ min without detectable warning surface between crossings
Crossing Island & Median Design

R204.4 Overpasses & Underpasses

• PROWAG: pedestrian access route shall meet same requirements as other pedestrian routes, with regards to widths, slopes, etc.

• Ramp (R407), elevator or platform lift required if approach slope >5%
Roundabouts

PROWAG to require some form of signalization at new multi-lane roundabout pedestrian crossings.
Possible Solutions to Improve Roundabout Accessibility

- Audible/tactile cues at crossing locations
- Good sight distance
- Setback sidewalks
- Rumble strips at vehicle exits
- In-Pavement lighting
- Pedestrian signals/beacons

Rectangular Rapid Flashing Beacon

http://www.youtube.com/watch?v=ReNk2Tsay1c
Effective Communication

Pushbutton-Integrated APS

- Specified by PROWAG; specific language contained in the 2009 MUTCD Section 4E (when APS used)
  - Speakers at the pushbutton
  - Pushbutton locator tone
  - Tactile arrow
  - Audible and vibrotactile walk indications
  - Automatic volume adjustment
- No longer recommended
  - Pedhead-mounted (cuckoo/chirps)
  - Vibrotactile-only
  - Receiver-based
### Speakers at the Pushbutton

- **Pushbutton Locator Tone**
  - Repeating sound that informs approaching pedestrians that there is a pushbutton and enables pedestrians to locate the pushbutton
  - MUTCD 4E.12 specifies locator tone must have a repetition rate of one tone per second.
  - MUTCD 4E.12 requires that all new pushbuttons have integrated locator tones
  - Intensity responsive to ambient sound & audible 6-12’ from the pushbutton, or to the building line, whichever is less.
Tactile/Vibrotactile Arrow

- MUTCD 4E.12 states that tactile arrows shall:
  - Be located on the pushbutton
  - Have high visual contrast
  - Be aligned parallel to the direction of travel on the associated crosswalk
- Tactile arrow shall vibrate during the walk interval (MUTCD 4E.11)

WALK Indications

- MUTCD 4E.11 requires audible and vibrotactile WALK indications
  - Audible WALK indication:
    - Percussive tone if buttons separated by ≥10’
    - Speech walk message if buttons separated by <10’
  - Vibrotactile WALK indication: tactile arrow on pushbutton unit that vibrates during WALK
    - Provides signal information to persons with hearing impairment
    - Must be located close to crosswalk
Rapid Tick WALK Indication

- Pushbutton locator tone, followed by rapid tick WALK indication
  - Hear the locator tone during flashing and steady don’t walk
  - Walk indication during WALK

Speech WALK Indication

- Use only where technically infeasible to separate pushbuttons by ≥10’
- Pushbutton locator tone, followed by speech WALK indication
  - Hear the locator tone during flashing & steady don’t walk
  - Walk indication during WALK
- May use ‘wait’ outside the WALK interval
- Automatic Volume Adjustment
Pushbutton Location is Critical

- MUTCD 4E.08
- Pedestrian pushbuttons should be located to meet the following criteria:
  - Unobstructed & adjacent to level all-weather surface
  - Accessible route from pushbutton to curb ramp
  - Between edge of outer crosswalk line & side of curb ramp (no more than 5 feet from xwalk)
  - Between 1.5 and 6 feet from edge of curb, shoulder, pavement
  - Face of pushbutton parallel to crosswalk to be used
  - Mounting height approx. 3.5’, but no more than 4’ above the sidewalk

APS Location Examples

- Vertical reach
  - 48 inches maximum
  - 15 inches minimum
- Horizontal reach
  - 10 inches maximum side reach over obstruction
APS Location Examples

Pushbutton Operation (R403)

- Operable with one hand without tight grasping, pinching, or twisting wrist
- Actuation force: no more than 5 pounds
Visual Signal Head Placement

Oops! Pushbutton placement is not right!

APS Installation

- PROWAG (new construction/reconstruction)
  - When pedestrian signals are newly installed, and when controller is altered or signal head is replaced
- MUTCD 2009
  - Engineering study considers needs of pedestrians with visual disabilities
- FHWA Guidance
  - Jurisdictions must have a reasonable & consistent policy to provide accessibility
  - Policy should include:
    - APS as individual accommodation
    - APS in existing locations (transition plan)
    - APS in new construction/alterations
Reasonable & Consistent Policy

• Complaint against the Maryland State Highway Administration
  – Alleged that blind pedestrians were not able to access pedestrian signal information and APS were not installed in response to requests
  – FHWA found ADA violation regarding APS; in response, Maryland SHA agreed to develop APS policy

Maryland State Highway Administration APS Policy

• New construction/alterations
  – APS to be installed at all signals with pedestrian indications
  – Signals without pedestrian indications will be designed for future installation of APS

• Existing signals with pedestrian indications where no work is planned
  – Consider and address individuals requests for APS
  – Install APS on priority ranking basis (transition plan)
  – APS committee to establish ranking
R212 Street Furniture

- Benches
- Drinking Fountains
- Parking Meters
- Street lights
- Utility poles/hardware
- Transit shelters

- Bike racks
- Newspaper vending
- Sculptures

Furniture Zone Summary

Carefully arranged street furniture leaves sidewalk clear

Randomly arranged street furniture clutters sidewalk
R214 Accessible On-Street Parking Spaces

• Chapter 2 (Scoping Requirements) of the PROWAG provides requirements for determining the number of accessible parking spaces per block perimeter
  • If total number of marked or metered spaces on the block perimeter is 1 to 25, there must be at least 1 accessible parking space (Table R214)
• Parking spaces are best located where the street has the least crown and grade and close to key destinations (i.e., crosswalks)

R309.2 Parallel Parking Spaces

• R309.2.1 Wide Sidewalks (Sidewalk or available ROW > 14 ft)
  – Provide access aisle at least 5.0 ft wide at street level the full length of the parking space
  – Connect aisle to pedestrian access route
  – Access aisle shall not encroach on the vehicular travel lane.
R309.2 Parallel Parking Spaces

• R309.2.2 Narrow Sidewalks (Sidewalk or available ROW ≤14’)
• An access aisle is not required if the parking space is located at the end of the block face.
• Keep adjacent sidewalk free of obstructions to allow lift deployment.

Parallel Parking Spaces

<= 14 ft
Access aisle not required
R309.4 Curb Ramps or Blended Transitions

- A curb ramp or blended transition complying with R304 shall connect the access aisle to the pedestrian access route.

R309.3 Perpendicular or Angled Parking Spaces

- Where perpendicular or angled parking is provided:
  - Provide an access aisle 8.0 ft wide minimum at street level the full length of the parking space
  - Connect access aisle to a pedestrian access route
  - Mark access aisles to discourage parking in them.
  - Two parking spaces may share a common access aisle
  - Access aisles must comply with R302.7 (stable, firm & slip resistant)
Perpendicular or Angled Parking Spaces

R211.4 Signs

- Parking space identification signs shall include the International Symbol of Accessibility complying with R411
- At accessible parallel parking spaces and accessible passenger loading zones, locate signs at the head or foot of the space/zone so as not to interfere with the operation of a side lift or a passenger side transfer.
- Mark and sign per MUTCD 2B.46 and 3B.19
R309.4 Curb Ramps or Blended Transitions

• Curb ramps shall not be located within the access aisle

R309.5 Parking Meters and Parking Pay Stations

• Parking meters and parking pay stations that serve accessible parking spaces shall comply with R309.5.
  – R309.5.1 Location. At accessible parallel parking spaces, locate parking meters at the head or foot of the parking space so as not to interfere with the operation of a side lift or a passenger side transfer.

• Operable parts shall comply with R403.
Parking Meter Displays/Information

- R309.5.2 Displays and information shall be visible from a point located 3.3 ft maximum above the center of the clear space in front of the parking meter or pay station.

R205 Alternate Pedestrian Access Route

- Alternate Pedestrian Access Route is required when an existing pedestrian circulation path is temporarily closed by construction, alteration, maintenance, or other condition.
Basics of Alternate Ped. Access Routes

• On same side of street if feasible (extra crossings increase risk)
• Consider APS if extra crossings required
• Advance notice of sidewalk closures required
• Provide smooth, continuous hard surface
• Cane-detectable barricades (continuous top and bottom surfaces)

Basics of Alternate Ped. Access Routes (2)

• Where exposed to adjacent construction, traffic or other hazards, shall be protected with a ped barricade or channelization device (continuous, stable, non-flexible)
• Temporary facilities are also covered (e.g., street fairs, block parties, farmers’ markets)
• PROWAG references the MUTCD
Examples of Effective Temporary Barricade Design

Alternate Routes

• Provide detectable alternate routes when the pedestrian access route is detoured; same-side is best, if feasible...
Questions?

ADA Self-Evaluations/Transition Plans and Overview of Elements of PROWAG

Part 6
Building Facilities (ADAAG)

- Much to consider:
  - elevators
  - doors
  - bathrooms
  - drinking fountains
  - parking lots
- Focus here will be on a few topics and differences between ADAAG and PROWAG

Design User

- Is an individual in a wheelchair
- So minimum width is 3 feet, versus 4 feet in PROWAG (where design user is an individual using crutches/braces).
Protruding Objects (Section 307.2)

• Protrusion Limits. Objects with leading edges more than 27 inches and not more than 80 inches above the finish floor or ground shall protrude 4 inches maximum horizontally into the circulation path.
• Exception: handrails shall be permitted to protrude 4 ½ inches maximum
• These are identical to PROWAG

302.3 Openings

• Openings in the surface shall not allow passage of a sphere more than ½ inch diameter
• This is identical to PROWAG
Changes in Level

• 303.2 changes in level of ¼-inch maximum shall be permitted to be vertical

• 303.3 changes in level between ¼-inch and ½-inch high maximum shall be beveled with a slope not steeper than 1:2. Changes in level exceeding ½-inch must comply with 405 (ramps) or 406 (curb ramps)

• These are identical to PROWAG

Chapter 4—Accessible Routes

• 402.2 accessible routes shall consist of one or more of the following components: walking surfaces with a running slope not steeper than 1:20, doorways, ramps, curb ramps, elevators and platform lifts.
403.3 Cross Slope

- The cross slope of walking surfaces shall not be steeper than 1:48
- This is identical to PROWAG

403.4—Changes in Level

- Changes in level shall comply with 303
- Identical to PROWAG
403.5.1—Clear Width

• Except as provided in 403.5.2 (clear width at turns) and 403.5.3 (passing spaces), the clear width of walking surfaces shall be 36 inches minimum.

• As noted earlier, this is different from PROWAG which requires a minimum of 48 inches, measured from back of curb.

---

Clear Width--Exception

• The clear width shall be permitted to be reduced to 32 inches minimum for a length of 24 inches maximum provided that the reduced width segments are separated by segments that are 48 inches long minimum and 36 inches wide minimum.
“Pinch Points”

- In ADAAG, this exception is referred to as “pinch points.”
- Note that PROWAG does not provide for pinch points.

405--Ramps

- 405.2 Slope—ramp runs shall have a running slope not steeper than 1:12. Exception for existing facilities where have space limitations
- Table 405.2—Maximum Ramp Slope and Rise for Existing Sites, Buildings and Facilities

<table>
<thead>
<tr>
<th>Slope</th>
<th>Maximum Rise</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. A slope steeper than 1:8 is prohibited.</td>
<td></td>
</tr>
<tr>
<td>Steeper than 1:10 but not steeper than 1:8</td>
<td>3 inches</td>
</tr>
<tr>
<td>Steeper than 1:12 but not steeper than 1:10</td>
<td>6 inches</td>
</tr>
</tbody>
</table>
405—Ramps (2)

- 405.3 Cross Slope: not steeper than 1:48
- 405.4 Floor or Ground Surface: shall comply with 302. Changes in level other than running slope and cross slope are not permitted on ramp runs.

405—Ramps (3)

- 405.5 Clear width: clear width of ramp run and, where handrails are provided, the clear width between the handrails shall be 36 inches minimum.
- 405.6 Rise: the rise for any ramp run shall be 30 inches maximum.
- 405.7 Landings: Ramps shall have landings at the top and bottom of each ramp run.
208 Parking Spaces

- Where parking spaces are provided, parking spaces shall be provided in accordance with 208.
- 208.2 presents table of minimum number of accessible spaces.

<table>
<thead>
<tr>
<th>502—Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Car parking spaces shall be 96 inches wide and van parking spaces shall be 132 inches wide.</td>
</tr>
<tr>
<td>• Parking spaces shall be marked to define the width and shall have adjacent access aisle.</td>
</tr>
</tbody>
</table>
Communications, Information & Facility Signage

Communications

• Local governments must provide appropriate auxiliary aids/services for people with disabilities to ensure they will be able to participate in the range of services and programs, e.g., interpreters, notetakers, audio recordings, large print, Brailled materials

• Must give consideration to the type of auxiliary aid or service that an individual with a disability requests
Communications (2)

- Type of auxiliary aid/service necessary to ensure effective communication will vary with the length and complexity of communication involved and needs of the individual. E.g., sign language interpreters are not required for all interactions with the hearing impaired. Employees can often communicate effectively with individuals who are deaf or hard of hearing through standard written materials and exchange of written notes.

Communications (3)

- Should ensure that auxiliary aids/services are also provided for individuals who are blind or have low vision.
- Alternate formats such as Brailled or large print materials, qualified readers, computer disks, or audio recordings are examples of appropriate auxiliary aids.
216.1--Signs

• Signs shall be provided in accordance with 216 and shall comply with 703.
• Exception—exterior signs that are not located at the door to the space they serve, shall not be required to comply with 703.2.

Required Signs (§216)

• designated access symbols/directional signs
• labels for certain exit doors
• floor levels on jambs at elevators (§407.2.3)
• rail station identification signs (§810.6)
• amusement rides

Otherwise, standards apply only where signs are provided
Exempt Signs

- temporary signs
- building addresses and directories
- company names and logos
- occupant names
- menus
- seat/row designations in assembly areas
- signs in non-public areas of detention/correctional facilities

Chapter 7—Communication Elements and Features

- 703 Signs: signs shall comply with 703
  -- raised characters
  -- Braille
  -- installation height and location
  -- pictograms

- Symbols
International Symbol of Accessibility

Original ISA (1968) reprinted in the ADA Standards (§703.7.2.1)

Current ISA (2007)

International Symbol of Accessibility

- entrances
- toilet and bathing rooms
- check-out aisles
- parking
- existing elevators

Not required where all are accessible
ISA: Entrances

Unless all entrances are accessible:

• compliant entrances labelled by ISA
• directional signs with ISA at inaccessible entrances indicating nearest compliant entrance

ISA: Entrances

Recommended: Locate directional signs to prevent or minimize back-tracking
ISA: Parking Signs

ISA must label accessible parking spaces (can be fixed to posts, walls, or ceilings)

Parking facilities: only requirements for parking and means of egress signs apply (§216.1, Ex. 2)

ISA: Parking Signs

Sign must be 60” high min. (visible when space occupied)

Surface decals do not suffice
ISA: Parking Signs

Sign for van spaces must include “van accessible” (informative, not restrictive)

Can be on same or separate sign

Other Symbols

International Symbol of TTY  Assistive Learning Systems
Questions?

Thank you for attending today’s workshop.

Please fill out the evaluation form (see last page of course book).
Appendix:
ADA Transition Plan Template

A printed copy of the ADA Transition Plan template is provided in this Appendix for reference. Please refer to the Instructions (next page) and Supporting Discussion pages for important information.

A customizable Word version of the template is available online, along with additional Transition Plan resources, at: http://www.dot.state.oh.us/Divisions/Planning/LocalPrograms/LTAP/Pages/ADA-Transition-Plan.aspx.
Instructions

The attached template is provided as a resource to assist Ohio local agencies in developing and implementing their ADA Transition Plan.

Under Title II of the Americans with Disabilities Act (ADA), public services, programs and activities are required to be accessible to individuals with disabilities. Compliance includes conducting a self-evaluation to identify any accessibility obstacles or issues that need to be addressed with regard to communications, building facilities and pedestrian facilities. In addition, public entities that employ 50 or more persons* are required to:

- Designate an ADA Coordinator.
- Establish a grievance procedure to allow for prompt resolution of accessibility concerns.
- Establish a transition plan for taking the steps necessary to achieve compliance with the Americans with Disabilities Act.
- Monitor implementation of the transition plan, and update the plan periodically as needed.

Please feel free to adapt or modify the template document to suit your agency’s needs. It’s likely that there will be a need to add information or details in order to complete your transition plan. If your agency has not yet conducted an ADA self-evaluation, this process will also need to be completed in order to prepare your transition plan. The template includes discussion and information about the self-evaluation process.

In lieu of using the attached template, your agency may choose instead to:

- Use other sample plans or examples to develop your transition plan.
- Utilize consultants to develop your transition plan.

The ultimate responsibility for ADA compliance rests with each agency or jurisdiction. Please review your completed ADA Transition Plan with your agency’s legal counsel or risk management team prior to proceeding with implementation.

*Public entities that employ less than 50 persons are still responsible for providing accessibility per the ADA, but are not required to formally establish a transition plan. Businesses and non-profit organizations are required to comply with accessibility requirements for places of public accommodation (see ADA Title III – 28 CFR Part 36.304).
Supporting Discussion & Additional Resources

**ADA Self-Evaluation Process & Common Compliance Issues**

Access to civic life by people with disabilities is a fundamental goal of the Americans with Disabilities Act. To ensure that this goal is met, Title II of the ADA requires State and local governments to make their programs and services accessible to individuals with disabilities. This requirement extends not only to physical access at government facilities, programs, and events, but also to policy changes that governmental entities must make to ensure that all people with disabilities can take part in, and benefit from, the programs and services of State and local governments. In addition, governmental entities must ensure effective communication – including the provision of necessary auxiliary aids and services – so that individuals with disabilities can participate in civic life.

One important way to ensure that Title II's requirements are being met is through the self-evaluation process, which is required by the ADA regulations. Self-evaluation enables public agencies to pinpoint the facilities, programs and services that must be modified or relocated to ensure that agencies are complying with the ADA.

Please refer to the U.S. Department of Justice publication, *The ADA and City Governments: Common Problems* for a detailed discussion of some of the issues, misconceptions and challenges encountered by local agencies regarding various ADA topics, including:

- Uncertainty regarding applicability of ADA requirements
- Program accessibility
- Historically significant facilities
- Curb ramps
- Effective communication
- Self-evaluation and transition plan

This document contains a sampling of common problems shared by public entities that were identified through the Department of Justice's ADA enforcement efforts. Although it primarily refers to cities, the examples and supporting analyses are equally applicable to other types of local agencies. The DOJ publication *ADA Guide for Small Towns* is also helpful and refers to smaller agencies.

**Making the Built Environment Accessible**

The Americans with Disabilities Act requires public agencies to ensure that all of their programs, services, and activities, when viewed in their entirety, are accessible to individuals with disabilities. In addition, the ADA requires that all new facilities built by public entities must be accessible to and usable by people with disabilities.
Questions often arise regarding how to address the accessibility of existing facilities, such as older buildings. A helpful discussion of this topic is provided in the U.S. Department of Justice publication, *ADA Update: A Primer for State and Local Governments*. Excerpts from the chapter on *Making the Built Environment Accessible* are provided as follows.

**Access to Programs and Services in Existing Facilities**

The ADA’s regulations and the ADA Standards for Accessible Design, originally published in 1991, set the minimum standard for what makes a facility accessible. Only elements that are built-in (fixed in place) are addressed in the Standards. While the updated 2010 Standards, which became effective on March 15, 2012, retain many of the original provisions in the 1991 Standards, there are some significant differences. The Standards are used when determining if a public entity’s programs or services are accessible under the ADA. However, they apply differently depending on whether the entity is providing access to programs or services in existing facilities or is altering an existing facility or building a new facility.

Public entities have an ongoing obligation to ensure that individuals with disabilities are not excluded from programs and services because facilities are unusable or inaccessible to them. There is no “grandfather clause” in the ADA that exempts older facilities. However, the law strikes a careful balance between increasing access for people with disabilities and recognizing the constraints many public entities face. It allows entities confronted with limited financial resources to improve accessibility without excessive expense.

In the years since the ADA took effect, public facilities have become increasingly accessible. In the event that changes still need to be made, there is flexibility in deciding how to meet this obligation – structural changes can be made to provide access, the program or service can be relocated to an accessible facility, or the program or service can be provided in an alternate manner. For example:

- In an elementary school without an elevator, a teacher can be assigned to a first floor classroom if the class includes a student with a mobility disability.

- A social service agency located in an inaccessible facility can make arrangements to meet with an applicant or client with a mobility disability at an alternate location that is accessible.

- If an application for a particular city program must be made in person at an inaccessible office, the city could allow a person with a mobility disability to complete and submit the application by mail or email.
• If a public library is inaccessible, staff can provide curb-side service for a patron with a mobility disability to check out and return books.

Structural changes are not required where other solutions are feasible. However, where other solutions are not feasible, structural changes are required. When structural change is the method chosen to make a program or service accessible, the changes must meet the requirements of the 2010 ADA Standards, unless it is technically infeasible to do so. When full compliance is not technically feasible, the changes must follow the Standards to the maximum extent feasible. For example, if there is not enough space to install a ramp with a slope that complies with the Standards, a public entity may install a ramp with a slightly steeper slope. However, deviations from the Standards must not pose a significant safety risk. In addition, public entities are not required to take any action that would threaten or destroy the historic significance of an historic property.

Whatever method is chosen, the public entity must ensure that people with disabilities have access to programs and services under the same terms and conditions as other people. For example:

• If a social service agency meets with clients in a private office on the second floor of a building without an elevator, a public area on the first floor is not an acceptable alternate location to meet with a client who has a mobility disability. The alternate location must provide the same degree of privacy as the regular location.

• If a court has ordered a person with a mobility disability to participate in a group anger-management program, and the program is located in an inaccessible facility, it is not acceptable to offer the program to him individually in an accessible location, because the group interaction is a critical component of the program.

There are limits to a public entity's program access obligations. Entities are not required to take any action that would result in undue financial and administrative burdens. The decision that an action would result in an undue burden must be made by a high level official, no lower than a Department head, having budgetary authority and responsibility for making spending decisions, after considering all resources available for use in the funding and operation of the service, program, or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action would result in an undue burden, a public entity must take any other action that would not result in an undue burden but would nevertheless ensure that individuals with disabilities receive the benefits or services provided by the public entity.

**Alterations**

When a public entity chooses to alter any of its facilities, the elements and spaces being altered must comply with the 2010 Standards. An alteration is defined as remodeling, renovating, rehabilitating, reconstructing, changing or rearranging structural parts or
elements, changing or rearranging plan configuration of walls and full-height or other fixed partitions, or making other changes that affect (or could affect) the usability of the facility. Examples include restriping a parking lot, moving walls, moving a fixed ATM to another location, installing a new service counter or display shelves, changing a doorway entrance, or replacing fixtures, flooring or carpeting. Normal maintenance, reroofing, painting, wallpapering, or other changes that do not affect the usability of a facility are not considered alterations.

The 2010 Standards set minimum accessibility requirements for alterations. In situations where strict compliance with the Standards is technically infeasible, the entity must comply to the maximum extent feasible. “Technically infeasible” is defined as something that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member that is an essential part of the structural frame; or because other existing physical or site constraints prohibit modifications or additions that comply fully with the Standards. The 2010 Standards also contain an exemption for certain alterations that would threaten or destroy the historic significance of an historic property.

New Construction

The ADA requires that all new facilities built by public entities must be accessible to and usable by people with disabilities. The 2010 Standards set out the minimum accessibility requirements for newly constructed facilities.

Please refer to the [ADA Update: A Primer for State and Local Governments](#) for additional information.

The Importance of Documentation

Documentation is an essential component for achieving ADA compliance – from conducting the self-evaluation and preparing the transition plan, to moving forward with implementing accessibility improvements. Documentation is especially important if situations of “technical infeasibility” are encountered. As mentioned on the previous page, from the section on Access to Programs and Services in Existing Facilities:

“When structural change is the method chosen to make a program or service accessible, the changes must meet the requirements of the 2010 ADA Standards, unless it is technically infeasible to do so. When full compliance is not technically feasible, the changes must follow the Standards to the maximum extent feasible . . .”

The text box shown on the next page lists some of the situations where technical infeasibility may be encountered. Documentation is especially important in these instances.
A number of public agencies have developed forms, worksheets or guidelines to assist with documentation regarding specific issues of technical infeasibility or ADA accessibility constraints. Several examples are provided per the following web links.

- City of Cincinnati, Ohio
- City of Portland, Oregon
- Hawaii Department of Health
- Michigan Department of Transportation

Additional guidance is provided in the U.S. Access Board’s Technical Guide on ADA Scoping: Alterations and Additions.

**The Importance of Training**

Training is an important tool for ensuring compliance with ADA requirements, and can be very helpful to personnel involved in conducting the self-evaluation and completing the transition plan. Agencies are encouraged to identify resources and opportunities for employees at various levels to receive ADA-related training appropriate to their job functions.

Many local disability organizations conduct ADA trainings in their communities, and ADA workshops are also periodically scheduled through the Local Technical Assistance Program (LTAP) Centers, the National Highway Institute, and other training providers. In addition, a variety of ADA webinars and online courses are also available. Several examples of these training resources are listed on the ADA Training webpage of the ADA National Network website.

When you are ready to proceed with developing your ADA Transition Plan, these six introductory pages of front matter (pages i through vi) can be removed from the customizable Word version of the template. Please also rename the Word document (or save it with an updated file name) to include the name of your agency.

While the attached Transition Plan template is provided as a resource to assist local agencies, the ultimate responsibility for ADA compliance rests with each agency or jurisdiction. Please review your completed ADA Transition Plan with your agency’s legal counsel or risk management team prior to proceeding with implementation.
Americans with Disabilities Act (ADA) Transition Plan

Agency Name, Ohio

Month Day, 20XX

Add Agency Logo

Agency Office Address

Agency Phone Number & Email Address

Agency Web Address
Introduction

Transition Plan Need and Purpose
The Americans with Disabilities Act (ADA) is a civil rights law prohibiting discrimination against individuals on the basis of disability. It was enacted on July 26, 1990, and was amended in 2008 with the ADA Amendments Act. The ADA consists of five titles outlining protections in the following areas:

I. Employment  
II. State and local government services  
III. Public accommodations  
IV. Telecommunications  
V. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services provided by public entities. Agency Name must comply with this section of the Act, as it specifically applies to public service agencies. Title II of ADA states that “no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.” (42 USC Sec. 12132; 28 CFR Sec. 35.130)

As required by Title II of ADA (28 CFR Part 35 Sec. 35.105 and Sec. 35.150), Agency Name has conducted a self-evaluation of its services, programs, activities, and facilities on public property and within public rights-of-way; and has developed this Transition Plan detailing the methods to be used to ensure compliance with ADA accessibility requirements.

ADA and its Relationship to Other Laws
Title II of ADA is companion legislation to two previous federal statutes and regulations: the Architectural Barriers Act (ABA) of 1968 and Section 504 of the Rehabilitation Act of 1973.

The Architectural Barriers Act of 1968 is a Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Section 504 of the Rehabilitation Act of 1973 is a Federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency. Title II of ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not.
Agency Requirements
Under Title II, Agency Name must meet these general requirements:

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities [28 CFR Sec. 35.150].
- May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability [28 CFR Sec. 35.130 (a)].
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result [28 CFR Sec. 35.130(b)(7)].
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective [28 CFR Sec. 35.130(b)(iv) & (d)].
- Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others [29 CFR Sec. 35.160(a)].
- Must designate at least one responsible employee to coordinate ADA compliance [28 CFR Sec. 35.107(a)]. This person is typically referred to as the ADA Coordinator. The public entity must provide the ADA Coordinator's name, office address, and telephone number to all interested individuals [28 CFR Sec. 35.107(a)].
- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [28 CFR Sec. 35.106]. The notice must include the identification of the employee serving as the ADA Coordinator and must provide this information on an ongoing basis [28 CFR Sec. 104.8(a)].
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [28 CFR Sec. 35.107(b)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

Designation of Responsibility
In accordance with 28 CFR 35.107(a), the Agency Name has designated the following person to serve as ADA Title II Coordinator, to oversee the City's/County's policies and procedures:

Name ______________________________      Job Title ______________________________
In accordance with 28 CFR 35.150(d)(3), the Agency Name has designated the following person to serve as ADA Transition Plan Implementation Coordinator, to monitor the City's/County's progress and manage review and updates of this document:

Name ______________________________      Job Title ______________________________

Contact information is provided in Appendix E.

Training is an important tool for ensuring compliance with ADA requirements. The ADA Coordinators will identify resources and opportunities for agency employees at various levels to receive ADA-related training appropriate to their job functions.

Self-Evaluation

Overview

Under Title II of the ADA (28 CFR Sec. 35.105), public entities are required to perform a self-evaluation of their current services, policies and practices with regard to accessibility. The goal of the self-evaluation is to verify that, in managing its programs and facilities, the agency is providing accessibility and not adversely affecting the full participation of individuals with disabilities.

The intent of the ADA self-evaluation is to review the agency’s entire public program, including all facilities on public property and within public rights-of-way, in order to identify any obstacles or barriers to accessibility that need to be addressed. The general categories of items to be evaluated include:

- Communications, Information & Facility Signage.
- Building Facilities – these include offices, garages and other types of buildings.
- Pedestrian Facilities (Pedestrian Circulation Routes / Pedestrian Access Routes) – these include sidewalks, curb ramps, bicycle/pedestrian trails, traffic control signals and bus stops (and/or other transit facilities) that are located within the City/County rights-of-way.

Public entities are required to provide an opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments [28 CFR Sec. 35.105(b)].

Furthermore, a public entity that employs 50 or more persons is required, for at least three years following the completion of the self-evaluation, to maintain on file and make available for public inspection:

- A list of the interested persons consulted;
ADA Transition Plan for Agency Name

- A description of areas examined and any problems identified; and,
- A description of any modifications made.

Process & Findings
In Month or Timeframe of Year, the Agency Name completed a self-evaluation of its services, programs, activities, and facilities on public property and within public rights-of-way with regard to accessibility. Detailed inventories and findings from this review are provided in Appendix A, under the headings of Communications (A1), Building Facilities (A2) and Pedestrian Facilities (A3).

An important component of the self-evaluation process is the identification of obstacles or barriers to accessibility, and the corresponding modifications that will be needed to remedy these items. The following sections provide a summary of improvements that have already been made, and obstacles that the City/County plans to address as part of this Transition Plan.

Communications, Information & Facility Signage
Title II of ADA includes the following requirements regarding Communications.

General (28 CFR Sec. 35.160)
- A public entity shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others.
- A public entity shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by a public entity.
- In determining what type of auxiliary aid and service is necessary, a public entity shall give primary consideration to the requests of the individual with disabilities.

Information and Signage (28 CFR Sec. 35.163)
- A public entity shall ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities.
- A public entity shall provide signage at all inaccessible entrances to each of its facilities, directing users to an accessible entrance or to a location at which they can obtain information about accessible facilities. The international symbol for accessibility shall be used at each accessible entrance of a facility.

Other examples of important communication items/devices include Accessible Pedestrian Signals (APS) used at intersections, and signs, pavement markings and other traffic control devices used to provide advance warning and positive guidance in the vicinity of construction,
maintenance or utility work areas/zones that impact sidewalks, crosswalks or other pedestrian access routes. The *Pedestrian Checklist and Considerations for Temporary Traffic Control Zones* provides an overview of pedestrian-related considerations to enhance safety and accessibility for these types of situations. Appendix A3 of this Transition Plan provides additional information about communication items related to Pedestrian Facilities / Public Rights-of-Way.

In recent years, the City/County has implemented the following accessibility improvements with regard to communications, information and facility signage:

- List examples of improvements/accomplishments as applicable
- ...
- ...

The City/County has conducted a detailed evaluation of its communications, information and facility signage with regard to the ADA Title II requirements. The findings from this evaluation are provided in Appendix A1.

**Improvement Schedule**

Moving forward, the Agency Name plans to implement improvements for the following items that have been identified as potential obstacles to accessibility.

<table>
<thead>
<tr>
<th>Item/Description</th>
<th>Accessibility Concern</th>
<th>Improvement Method</th>
<th>Schedule</th>
</tr>
</thead>
<tbody>
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**Building Facilities and Related Parking Lots/Facilities**

The Agency Name is responsible for the following buildings:

- Building 1 – Name and Address
- Building 2 – Name and Address
- ...
- ...
In recent years, the City/County has implemented the following accessibility improvements to its building facilities:

- List examples of improvements/accomplishments as applicable
- ...
- ...
- ...

The City/County has conducted a detailed accessibility evaluation of each of its building facilities, and related parking lots/areas, based on the ADA Checklist for Existing Facilities publication and/or, list other established resources. The findings from this evaluation are provided in Appendix A2. The accessibility barriers/issues identified as currently existing have been ranked in order of priority for improvement.

**Improvement Schedule**

Moving forward, the Agency Name plans to implement improvements for the following items that have been identified as potential obstacles to accessibility.

<table>
<thead>
<tr>
<th>Building Facilities and Related Parking Lots/Facilities</th>
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</thead>
<tbody>
<tr>
<td><strong>Schedule</strong></td>
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<tr>
<td><strong>Year 1 (20XX)</strong></td>
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<tr>
<td><strong>Year 2 (20XX)</strong></td>
</tr>
<tr>
<td><strong>Years 3 – 5 (20XX to 20XX)</strong></td>
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</tbody>
</table>

**Pedestrian Facilities / Public Rights-of-Way**

As part of the self-evaluation process, Agency Name has conducted an inventory and evaluation of pedestrian facilities within its public rights-of-way, which consist of the following:

- XX miles of sidewalks
- XX curb ramps
- XX crosswalks
ADA Transition Plan for Agency Name

- XX miles of bicycle/pedestrian trails
- XX traffic control signals
- XX bus stops (and/or other transit facilities)
- XX other

A detailed evaluation of these facilities with regard to accessibility compliance is provided in Appendix A3, and will be updated annually or, every ___ years.

Previous Practices
Since the adoption of the ADA, Agency Name has striven to provide accessible pedestrian features as part of the City's/County's capital improvement projects. As additional information was made available regarding the methods of providing accessible pedestrian features, the City/County updated its procedures to accommodate these methods.

In recent years, the City/County has implemented the following accessibility improvements to its pedestrian facilities:

- List examples of improvements/accomplishments as applicable
  - ...
  - ...

Methodology
Agency Name will utilize two methods for upgrading pedestrian facilities to current ADA standards. The first and most comprehensive method is through scheduled street and utility improvement projects. All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards. A current listing of these scheduled projects is included in Appendix B.

The second method is through specific sidewalk and ADA accessibility improvement projects that are identified individually. These projects will be incorporated into the Capital Improvement Program (CIP) on a case-by-case basis as determined by Agency Name staff. The City/County CIP, which includes a detailed schedule and budget for specific improvements, is included in Appendix B.

Policy
The Agency Name's goal is to continue to provide accessible pedestrian design features as part of its capital improvement projects. The City/County has adopted ADA design standards and procedures as listed in Appendix F. These standards and procedures will be kept up-to-date with nationwide and local best management practices.
ADA Transition Plan for Agency Name

The City/County will consider and respond to all accessibility improvement requests. All accessibility improvements that are deemed reasonable will be scheduled consistent with transportation priorities. The City/County will coordinate with external agencies to ensure that all new or altered pedestrian facilities within the City/County jurisdiction are ADA compliant to the maximum extent feasible.

Maintenance of pedestrian facilities within the public rights-of-way will continue to follow the policies set forth by the City/County. (Insert specific policy references here) Examples of typical maintenance items relating to accessibility include: snow removal and ice control for sidewalks, sidewalk repair policy, renewal of crosswalk markings, and signal hardware. Detailed information is provided in Appendix A3.

Requests for accessibility improvements can be submitted to the ADA Title II Coordinator or Transition Plan Implementation Coordinator. Contact information is provided in Appendix E.

Priority Areas
Agency Name has identified specific locations as priority areas for planned accessibility improvement projects. These areas have been selected due to their proximity to specific land uses such as schools, government offices and medical facilities, as well as from the receipt of public comments. The priority areas as identified in the self-evaluation are as follows:

- Area 1
- Area 2
- Area 3

Additional priority will be given to any location where an improvement project or alteration was constructed after January 26, 1991, and accessibility features were omitted.

External Agency Coordination
Many other agencies are responsible for pedestrian facilities within the jurisdiction of Agency Name. The City/County will coordinate with those agencies to assist with identifying and facilitating elimination of accessibility barriers along their routes.

Improvement Schedule
Agency Name has established the following schedule of goals for improving the accessibility of its pedestrian facilities within the City/County jurisdiction:

(Adjust for specific agency goals; below is one example.)

- Within 5 years (20XX to 20XX), 100% of the pedestrian facility features constructed after January 26, 1991 are to be ADA compliant.
• Within 10 years (20XX to 20XX), 80% of all pedestrian facility features (including those constructed on or before January 26, 1991) within the priority areas identified by City/County staff are to be ADA compliant.
• Within 20 years (20XX to 20XX), 80% of all pedestrian facility features (including those constructed on or before January 26, 1991) within the entire jurisdiction of City/County are to be ADA compliant.

Based on results from the self-evaluation of pedestrian facilities, the Agency Name has prepared a curb ramp installation schedule to address specific locations where accessibility improvements are needed. A copy of this schedule is included in Appendix A3.

Public Outreach

Agency Name recognizes that public participation is an important component in the development of this transition plan. Input from the community has been gathered and used to help define priority areas for improvements within the jurisdiction of Agency Name.

Public outreach for preparation of this document has consisted of the following activities:

Insert summary of outreach items here.

This document was also made available for public comment. Appendix C provides a summary of comments received and detailed information regarding the public outreach activities.

Public Notice of ADA Requirements and Grievance Procedure

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities with regard to ADA compliance. A draft of this public notice is provided in Appendix D.

If users of Agency Name's facilities and services believe the City/County has not provided a reasonable accommodation, they have the right to file a grievance. In accordance with 28 CFR Sec. 35.107(b), the City/County has developed a grievance procedure for the purpose of the prompt and equitable resolution of citizens’ complaints or concerns. This grievance procedure is outlined in Appendix D.

Progress Monitoring and Transition Plan Management

This Transition Plan is considered to be a living document that will continue to be updated as conditions within the City/County evolve. The initial schedule is to formally review the complete document (main body and appendices) at least once per year, to identify any need for updates. Updates to the appendices or attachments may be made more frequently as needed.
Any substantive updates to the main body of this document will include a public comment period to continue the City's/County's public outreach efforts.

The Agency Name recognizes that ADA compliance is an ongoing responsibility which will require monitoring to identify future accessibility issues that may be encountered. For example, facilities that currently meet ADA requirements could fall out of compliance in the future due to factors such as damage, disrepair, or changes within public rights-of-way that could create new accessibility obstacles. Therefore, the ADA Title II Coordinator and Transition Plan Implementation Coordinator will establish an on-going monitoring/inspection program or process to ensure that facilities continue to comply with ADA requirements. Agency employees will also be encouraged to report any accessibility concerns or deficiencies that are identified.

**Formal Adoption of ADA Transition Plan**

This ADA Transition Plan or, updated ADA Transition Plan is hereby adopted by the Agency Name, effective Month of Year.

Signed:

___________________________________       _______________
ADA Title II Coordinator                        Date

___________________________________       _______________
ADA Transition Plan Implementation Coord.     Date

___________________________________       _______________
Authorizing Official                          Date
Appendices

A. Self-Evaluation
   A2. Building Facilities & Related Parking Lots/Facilities

B. Schedule and Budget Information

C. Public Outreach

D. Public Notice of ADA Requirements and Grievance Procedure

E. Contact Information

F. Agency ADA Design Standards and Improvement/Compliance Procedures

G. Glossary of Terms
Appendix A – Self-Evaluation

A public entity that employs 50 or more persons is required, for at least three years following the completion of the self-evaluation, to maintain on file and make available for public inspection:

- A list of the interested persons consulted;
- A description of areas examined and any problems identified; and,
- A description of any modifications made.

**Interested Persons Consulted**

Provide a list of interested persons who were consulted during the self-evaluation process, along with their comments/suggestions and descriptions of follow-up to address accessibility items or concerns that may have been identified.

Descriptions of areas examined, problems identified and any modifications made are listed in the following sections A1, A2 and A3.

The City/County has conducted a detailed evaluation of its communications, information and facility signage with regard to the ADA Title II requirements. The results are listed as follows.

Inventory & Findings

Add to this section a detailed listing of inventory items and findings from the self-evaluation, for the following topic categories/areas regarding Communications.

- Efforts to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others.
- Auxiliary aids and services provided by the agency to afford individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of, agency services, programs, or activities.
- Efforts to ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities.
- Signage at all inaccessible entrances to each of the agency’s facilities, directing users to an accessible entrance or to a location at which they can obtain information about accessible facilities.

Consider the following questions:

- Does the agency provide auxiliary aids (such as sign language interpreters, readers, Braille, large print text) upon request to program participants with disabilities?
- Does the agency notify the public and other interested parties that auxiliary aids will be provided, upon request (e.g., via public meeting announcements)?
- Is the agency’s website and all of its contents accessible to individuals with hearing or visual impairments?
- Can hearing impaired individuals contact the agency via TTD/TTY phone line or an equally effective telecommunications system such as a relay service?

Create descriptions, tables or spreadsheets as needed to convey this information.

Identify specific items or areas where potential obstacles to accessibility were identified. Describe any initial modifications that have already been made to address the problems identified.

Within the main body of the Transition Plan, under the section on Communications, Information & Facility Signage / Improvement Schedule, fill in the details regarding the agency’s plans to implement additional improvements.
A2. Building Facilities & Related Parking Lots/Facilities

The City/County has conducted a detailed accessibility evaluation of each of its buildings, based on the [ADA Checklist for Existing Facilities](#) publication and/or list other established resources. The results are listed as follows.

**Inventory & Findings**

Add to this section a detailed listing of inventory items and findings from the self-evaluation, for each building that is owned, managed and/or maintained by the agency. Examples of building facilities include offices, garages, rest areas, and other types of buildings.

For each building facility, provide detailed descriptions of specific elements or features that play a role with regard to accessibility. The [ADA Checklist for Existing Facilities](#) publication provides an extensive checklist of typical building elements/features. The checklist follows four priority areas that were identified in the Department of Justice ADA Title III regulations:

- Priority 1 – Accessible approach and entrance
- Priority 2 – Access to goods and services
- Priority 3 – Access to public toilet rooms
- Priority 4 – Access to other items such as water fountains and public telephones

Under Priority 1, an accessible route from site arrival points and an accessible entrance to the facility should be provided. This includes evaluation of parking lots and other parking facilities (such as parking garages) with regard to ADA requirements for provision of accessible parking spaces. Refer to the Priority 1 section of the [ADA Checklist for Existing Facilities](#) for details.

Create descriptions, tables or spreadsheets as needed to convey this information.

Identify specific items or areas where accessibility barriers/issues were identified, and rank these in order of priority for improvement.

Describe any initial modifications that have already been made to address the problems identified.

Within the main body of the Transition Plan, under the section on Building Facilities / Improvement Schedule, fill in the details regarding the agency’s plans to implement improvements.

**Maintenance Activities and Additional Items**

Provide detailed information about the agency’s building maintenance activities for items/elements relating to accessibility (such as elevators, lifts, accessible entrances/doors, etc.).

The City/County has conducted a detailed accessibility evaluation of pedestrian facilities within the agency’s public rights-of-way. The results are listed as follows.

Inventory & Findings

Add to this section a detailed listing of inventory items and findings from the self-evaluation, for pedestrian facilities within the agency’s public rights-of-way. Examples of common types of pedestrian facilities include sidewalks, curb ramps, traffic control signals, trails, bus stops, and other types of facilities that would be used by pedestrians. Critical areas to evaluate include pedestrian paths/facilities that provide access to government offices, medical facilities, public buildings, commercial and business areas, school zones, libraries, residential areas, parks, etc.

For each type of facility, provide a detailed listing of the specific locations and features within the agency’s jurisdiction. For each location and feature, include comments regarding the level of accessibility compliance. Examples of possible assessment items include:

- XX% of sidewalks met accessibility criteria
- XX% of curb ramps met accessibility criteria
- XX% of intersections did not have any curb ramps
- XX% of intersections have curb ramps that do not meet current ADA criteria
- XX% of crosswalks met accessibility criteria
- XX% of bicycle/pedestrian trails met accessibility criteria
- XX% of traffic control signals had push buttons that are accessible, or had the pedestrian indications on recall
- XX% of traffic control signals had Accessible Pedestrian Signals (APS)
- XX% of bus stops (and/or other transit facilities) met accessibility criteria
- XX% of bus stops (and/or other transit facilities) had amenities that met accessibility criteria

If the agency is responsible for other parking areas – such as on-street parking – that have not already been addressed within Appendix A2 (Building Facilities and Related Parking Lots/Facilities), they should be addressed here with regard to ADA requirements for provision of accessible parking spaces.

Create descriptions, tables or spreadsheets as needed to convey this information.

Identify specific items or areas where accessibility barriers/issues were identified, and rank these in order of priority for improvement.
Describe any initial modifications that have already been made to address the problems identified.

Prepare and include a **curb ramp installation schedule** to address specific locations where accessibility improvements are needed.

Within the main body of the Transition Plan, under the section on Pedestrian Facilities / Improvement Schedule, fill in the details regarding the agency’s plans to implement additional improvements.

**Maintenance Activities and Additional Items**

Provide detailed information about the agency’s activities regarding maintenance of pedestrian facilities within the public rights-of-way. Examples of typical maintenance items relating to accessibility include: snow removal and ice control for sidewalks, sidewalk repair policy, renewal of crosswalk markings, and signal hardware.

If the agency is responsible for construction, maintenance or utility work areas/zones that impact sidewalks, crosswalks or other pedestrian access routes, include information here about planning and design methods used to provide advance warning and positive guidance to enhance safety and accessibility for these types of situations. Include reference to applicable resources, such as the *Pedestrian Checklist and Considerations for Temporary Traffic Control Zones* and the *Ohio Manual of Uniform Traffic Control Devices*.
## Appendix B – Schedule and Budget Information

### Overview

Based on the accessibility obstacles/issues identified through the self-evaluation process, and the need to implement improvements in order to comply with ADA accessibility standards, the Agency Name has prepared the following schedule and budget estimates.

<table>
<thead>
<tr>
<th>Accessibility Category</th>
<th>Projected Costs for Accessibility Improvements/Projects</th>
<th>Estimated Sub-Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Year 1 (20XX)</td>
<td>Year 2 (20XX)</td>
</tr>
<tr>
<td>Communications¹</td>
<td>$______</td>
<td>$______</td>
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<tr>
<td>Building Facilities²</td>
<td>$______</td>
<td>$______</td>
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<tr>
<td>Pedestrian Facilities - After 1/26/1991³</td>
<td>$______</td>
<td>$______</td>
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<tr>
<td>Pedestrian Facilities - Priority Areas⁴</td>
<td>$______</td>
<td>$______</td>
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<tr>
<td>Pedestrian Facilities - Entire Jurisdiction⁵</td>
<td>$______</td>
<td>$______</td>
</tr>
</tbody>
</table>

Estimated Total Cost: $______

1. Aim to complete all accessibility improvements needed for *Communications, Information & Facility Signage* by the end of Year 2.

2. Aim to complete all accessibility improvements needed for *Building Facilities* by the end of Year 5.

3. Aim to have 100% of *Pedestrian Facility features constructed after January 26, 1991* be ADA compliant by the end of Year 5.

4. Aim to have 80% of *all Pedestrian Facility features (including those constructed on or before January 26, 1991) within the priority areas identified by City/County staff* be ADA compliant by the end of Year 10. Continue with additional improvements after Year 10 as feasible.

5. Aim to have 80% of *all pedestrian facility features (including those constructed on or before January 26, 1991) within the entire jurisdiction of Agency Name* be ADA compliant by the end of Year 20.
Discussion & Improvement Project Information

As indicated in the table on the previous page, the Estimated Total Cost associated with providing ADA accessibility within the categories of Communications, Building Facilities and Pedestrian Facilities is $\underline{\underline{\text{____________}}}$.

This amount represents a significant investment that Agency Name is committed to making in the upcoming years. A systematic approach to providing accessibility will be taken in order to accommodate this cost within the City's/County's budget for accessibility improvements.

### Scheduled Street and Utility Improvement Projects*

<table>
<thead>
<tr>
<th>Project / Location</th>
<th>Estimated Budget</th>
<th>Schedule</th>
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<tbody>
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*All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards.

Insert detailed Capital Improvement Program (CIP) information here, including schedule and budget estimates for specific accessibility improvement projects.

Add any other special ADA improvement project information as may be applicable.
Appendix C – Public Outreach

Insert detailed information regarding Public Outreach activities here. This may include Outreach agendas and sign-in sheets, as well as description of notification methods.

Provide a summary of public comments received.
Appendix D – Public Notice of ADA Requirements and Grievance Procedure

As required by the Americans with Disabilities Act, the City/County has posted the following notice outlining its responsibilities with regard to ADA compliance.

Public Notice
In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, Agency Name will not discriminate against qualified individuals on the basis of disability in City's/County's services, programs or activities.

Employment: The City/County does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the Americans with Disabilities Act (ADA).

Effective Communication: The City/County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's/County's programs, services and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing or vision impairments.

Modifications to Policies and Procedures: The City/County will make all reasonable modifications to policies and procedures to ensure that people with disabilities have an equal opportunity to enjoy all City/County programs, services and activities. For example, individuals with service animals are welcomed in City/County offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City/County program, service or activity, should contact the office of the ADA Coordinator as soon as possible but no later than 48 hours before the scheduled event: add Name, Title, Office Address and Office Phone Number here.

The ADA does not require the City/County to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

The City/County will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.
Sample Grievance Procedure (Source: www.ada.gov)

[Name of public entity]
Grievance Procedure under
the Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the [name of public entity]. The [e.g. State, City, County, Town]'s Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

[Insert ADA Coordinator’s name]
ADA Coordinator [and other title if appropriate]
[Insert ADA Coordinator’s mailing address]

Within 15 calendar days after receipt of the complaint, [ADA Coordinator's name] or [his/her] designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, [ADA Coordinator's name] or [his/her] designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the [name of public entity] and offer options for substantive resolution of the complaint.

If the response by [ADA Coordinator's name] or [his/her] designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the [City Manager/County Commissioner/ other appropriate high-level official] or [his/her] designee.

Within 15 calendar days after receipt of the appeal, the [City Manager/County Commissioner/ other appropriate high-level official] or [his/her] designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the [City Manager/County Commissioner/ other appropriate high-level official] or [his/her] designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
All written complaints received by [name of ADA Coordinator] or [his/her] designee, appeals to the [City Manager/County Commissioner/ other appropriate high-level official] or [his/her] designee, and responses from these two offices will be retained by the [public entity] for at least three years.
Appendix E – Contact Information

**ADA Title II Coordinator**
Name: 
Job Title: 
Office Address: 
Phone: 
Fax: 
E-mail: 

**ADA Transition Plan Implementation Coordinator**
Name: 
Job Title: 
Office Address: 
Phone: 
Fax: 
E-mail: 

**Other**
Appendix F – Agency ADA Design Standards and Improvement/Compliance Procedures

ADA Resources and Design Standards

Add text here to describe your Agency’s use or adoption of specific ADA Design Standards as applicable.

Federal Highway Administration (FHWA) - Civil Rights - ADA/Section 504

Americans with Disabilities Act Accessibility Guidelines (ADAAG)


Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG)

2010 ADA Standards for Accessible Design

ADA Checklist for Existing Facilities

ADA Best Practices Tool Kit for State and Local Governments

ADA Update: A Primer for State and Local Governments

Ohio Manual of Uniform Traffic Control Devices

Americans with Disabilities Act of 1990, as Amended (2008)

Title 28 CFR Part 35 – Nondiscrimination on the Basis of Disability in State and Local Government Services

Improvement/Compliance Procedures

The challenge of dealing with physical or site constraints in alteration projects has been recognized by the authors of ADA accessibility standards for years. The Civil Rights Division of the U.S. Department of Justice has recognized that there could be instances where it might be technically infeasible to construct an alteration in full and strict compliance with ADA accessibility standards, because of physical or site constraints. In such circumstances, state and local agencies must provide accessibility to the maximum extent feasible. Before reaching a conclusion about technical infeasibility, state and local agencies need to consider the extent to which physical or site constraints could be addressed by alternative designs. The burden of proving technical infeasibility rests with the agency/owner that is responsible for the facility, element or feature.
**Intersection Corners**
The City/County will work in good faith to have curb ramps or blended transitions constructed or upgraded to achieve ADA compliance within all capital improvement projects. There may be limitations which make it technically infeasible for an intersection corner to achieve full accessibility within the scope of a project. If so, those limitations will be noted and those intersection corners will remain on the transition plan. As future projects or opportunities arise, those intersection corners shall continue to be incorporated into future work. Regardless of whether full compliance can be achieved in all cases, each intersection corner shall be made as compliant as possible in accordance with the judgment of City/County staff.

**Sidewalks / Trails**
The City/County will work in good faith to have sidewalks and bicycle/pedestrian trails constructed or upgraded to achieve ADA compliance within all capital improvement projects. There may be limitations which make it technically infeasible for segments of sidewalks or trails to achieve full accessibility within the scope of a project. If so, those limitations will be noted and those segments will remain on the transition plan. As future projects or opportunities arise, those segments shall continue to be incorporated into future work. Regardless of whether full compliance can be achieved in all cases, each sidewalk or trail shall be made as compliant as possible in accordance with the judgment of City/County staff.

**Traffic Control Signals**
The City/County will work in good faith to have traffic control signals constructed or upgraded to achieve ADA compliance within all capital improvement projects. There may be limitations which make it technically infeasible for individual traffic control signal locations to achieve full accessibility within the scope of a project. If so, those limitations will be noted and those locations will remain on the transition plan. As future projects or opportunities arise, those locations shall continue to be incorporated into future work. Regardless of whether full compliance can be achieved in all cases, each traffic signal control location shall be made as compliant as possible in accordance with the judgment of City/County staff.

**Bus Stops**
The City/County will work in good faith to have bus stops constructed or upgraded to achieve ADA compliance within all capital improvement projects. There may be limitations which make it technically infeasible for individual bus stop locations to achieve full accessibility within the scope of a project. If so, those limitations will be noted and those locations will remain on the transition plan. As future projects or opportunities arise, those locations shall continue to be incorporated into future work. Regardless of whether full compliance can be achieved in all cases, each bus stop location shall be made as compliant as possible in accordance with the judgment of City/County staff.
**Other Transit Facilities**
Additional transit facilities are present within the limits of Agency Name. Those facilities fall under the jurisdiction of Transit Provider(s). Agency Name will work with Transit Provider(s) to address compliance with the applicable accessibility standards.

**Other policies, practices and programs**
The City's/County's other policies, practices and programs not identified in this document will follow the applicable ADA standards.
Appendix G – Glossary of Terms

**ABA:** See Architectural Barriers Act.

**ADA:** See Americans with Disabilities Act.

**ADA Transition Plan:** Transportation system plan that identifies accessibility needs, the process to fully integrate accessibility improvements, and aims to ensure that all transportation facilities, services, programs, and activities are accessible to all individuals.

**ADAAG:** See Americans with Disabilities Act Accessibility Guidelines.

**Accessible:** A facility that provides access to people with disabilities using the design requirements of the ADA.

**Accessible Pedestrian Signal (APS):** A device that communicates information about the WALK phase in audible and vibrotactual formats.

**Alteration:** A change to a facility in the public right-of-way that affects or could affect access, circulation, or use. An alteration must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building or site.

**Americans with Disabilities Act (ADA):** Civil rights legislation passed in 1990 and effective July 1992. The ADA sets design guidelines for accessibility to public facilities, including sidewalks and trails, by individuals with disabilities.

**Americans with Disabilities Act Accessibility Guidelines (ADAAG):** Contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990.

**APS:** See Accessible Pedestrian Signal.

**Architectural Barriers Act (ABA):** Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

**Capital Improvement Program (CIP):** The CIP for a public agency typically includes an annual capital budget and a five-year plan for funding the new construction and reconstruction projects on the agency’s transportation system.

**Detectable Warning:** A surface feature of truncated domes, built in or applied to the walking surface to indicate an upcoming change from pedestrian to vehicular way.
DOJ: See United States Department of Justice.

Federal Highway Administration (FHWA): A branch of the U.S. Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads, and bridges.

FHWA: See Federal Highway Administration.

Pedestrian Access Route (PAR): A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility.

Pedestrian Circulation Route (PCR): A prepared exterior or interior way of passage provided for pedestrian travel.

PROWAG: An acronym for the Guidelines for Accessible Public Rights-of-Way issued in 2005 by the U.S. Access Board. This guidance addresses roadway design practices, slope and terrain related to pedestrian access to walkways and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking and other components of public rights-of-way.

Right-of-Way: A general term denoting land, property, or interest therein, usually in a strip, acquired for the network of streets, sidewalks and trails creating public pedestrian access within a public entity’s jurisdictional limits.

Section 504: The section of the Rehabilitation Act that prohibits discrimination by any program or activity conducted by the federal government.

Uniform Federal Accessibility Standards (UFAS): Accessibility standards that all federal agencies are required to meet; includes scoping and technical specifications.

United States Access Board: An independent federal agency that develops and maintains design criteria for buildings and other improvements, transit vehicles, telecommunications equipment, and electronic and information technology. It also enforces accessibility standards that cover federally-funded facilities.

United States Department of Justice: Federal executive department responsible for enforcement of the law and administration of justice (also referred to as the Justice Department or DOJ).
OHIO LTAP – TRAINING EVALUATION FORM

Remove this page from course book to fill out at end of training. Please print legibly.

Course: ADA Transition Plans & Elements of Accessibility  Date:_______________

Instructor: Ron Eck  Your Title: _______________________

Your Agency: ______________________  Your County: ______________________

Please read each item and circle the number of the response that best describes your opinion.

1 = Poor  2 = Fair  3 = Good  4 =Very Good  5 = Excellent

Evaluation of Program:

1. The program covered the promised objectives. 1 2 3 4 5
2. The program content was interesting. 1 2 3 4 5
3. The program was well organized. 1 2 3 4 5
4. Training time was used well. 1 2 3 4 5
5. Instructional activities and materials used during the program were appropriate. 1 2 3 4 5
6. There was sufficient time and opportunity for questions and discussions by the group. 1 2 3 4 5
7. The material used in the program manual will be useful for future references. 1 2 3 4 5
8. I received skills and knowledge that I can apply to my job and professional goals. 1 2 3 4 5

Evaluation of Instructor:

9. The instructor(s) had a thorough knowledge of the subject. 1 2 3 4 5
10. The instructor(s) communicated the subject matter well. 1 2 3 4 5
11. The instructor(s) was/were genuinely interested in the topic. 1 2 3 4 5
12. The instructor(s) facilitated discussion well. 1 2 3 4 5
13. The instructor(s) was/were responsive to the questions and needs of the group. 1 2 3 4 5

Comments/questions?
____________________________________________________________________________________

Suggestions for future workshops/courses? ____________________________________________________
____________________________________________________________________________________