



Hamilton County Board of Commissioners RESOLUTION

No. 1217-20

A RESOLUTION TO APPROVE THE HAMILTON COUNTY AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN FOR HAMILTON COUNTY GOVERNMENT.

WHEREAS, Hamilton County Government provides a workplace environment for its employees and various programs and services to the citizens of Hamilton County; and,

WHEREAS, the Americans with Disabilities Act requires a Transition Plan to survey, identify deficiencies and implement a plan for compliance with the Act; and,

WHEREAS, Hamilton County staff conducted surveys of County facilities, programs and services, compiled the data and obtained rough estimates of compliance costs for future budgeting consideration along with monitoring the progress toward implementation of the plan; and,

WHEREAS, Hamilton County staff has now completed the plan and is prepared to move forward with the plan upon approval by the County Commission; and

NOW, THEREFORE, BE IT RESOLVED BY THIS COUNTY LEGISLATIVE BODY IN SESSION NOW ASSEMBLED:

The County Board of Commissioners hereby accepts the Hamilton County Americans with Disabilities Act Transition Plan document to assist in moving forward to ensure compliance with the Americans with Disabilities Act.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION TAKE AFFECT AFTER IS PASSAGE, THE PUBLIC WELFARE REQUIRING IT.

CERTIFICATION OF ACTION

Approved: 
Rejected: County Clerk

Approved: 
Vetoed: County Mayor

December 20, 2017
Date

HAMILTON COUNTY GOVERNMENT



ADA TRANSITION PLAN

COMPLIANCE WITH TITLE II OF THE AMERICANS WITH DISABILITIES ACT

ADA Committee / Risk Management Safety Program/Human Resources

The Transition Plan describes the actions of the Hamilton County ADA Committee to provide accessibility to its programs, services and activities for those with disabilities, in compliance with 23 CFR 200.7 28 CFR 35, 49 CFR 27 and 49 CFR 37, and other applicable regulations and authorities.

Executive Summary

The ADA prohibits discrimination in access to jobs, public accommodations, government services, public transportation and telecommunications. The purpose of the American with Disabilities Act (ADA) Self-Evaluation and Transition Plan is to ensure that all of the citizens of Hamilton County are provided access to the County's programs, facilities and activities in as timely and complete a manner as is reasonably possible. The County's elected officials and staff believe the ability to accommodate disabled people is essential to fulfilling the Hamilton County Government's mission of meeting the needs of the people where they live, work and play.

This ADA Self Evaluation and Transition Plan was prepared in response to expectations set forth in Title II of the Americans with Disabilities Act (ADA). Access to civic life by people with disabilities is a fundamental goal of the Americans with Disabilities Act (ADA). 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 persons with disabilities (28 CFR 35.149-35.151). This requirement extends not only to physical access at government facilities, programs, services and events -- but also to pedestrian facilities in public rights-of-way.

The self-evaluation process creates the opportunity for public entities to identify barriers to accessibility and develop action plans to remove existing barriers and mitigate future barriers stated within the transition plan. This process has assisted Hamilton County Government staff in identifying policy, practices and physical barriers to accessibility and in developing barrier removal solutions that will facilitate the opportunity of improved access to all individuals within the city's public rights-of-way.

This report describes the overall process and findings of a self-evaluation for programs, policies and practices in a comprehensive review of the County's public facilities and rights-of-way. An overview of the requirements for developing a Transition Plan per federal regulations is provided. Subsequent sections describe the self-evaluation process, reveal the findings, provide recommendations and identify plans to remove barriers over time.

The Transition Plan describes the actions of the Hamilton County ADA Committee to provide accessibility to its programs, services and activities for those with disabilities, in compliance with 23 CFR 200.7 28 CFR 35, 49 CFR 27 and 49 CFR 37, and other applicable regulations and authorities. It is intended to be a living document, updated annually to reflect the current state of the County's Americans with Disabilities Act (ADA) and Section 504 (504) Accessibility program. The Hamilton County ADA Committee welcomes comments, suggestions and questions from the public, particularly those with disabilities or service groups representing communities with disabilities.

In summary, this transition plan was developed to meet the requirements established in the ADA and TDOT's current emphasis on compliance to continue to receive funding on County projects. It should be noted that this (completion of the plan) is the first step in this process to attain compliance with the ADA relative to the items contained herein. It should be very clear that this is and will be an ongoing process requiring the commitment and active involvement of all County Divisions and Departments, with periodic evaluations of County facilities, programs and services. It will take a diligent effort on the part of the County, including sufficient funding, to move this project forward at the Division and Department level in their individual budgets based on prioritizations in this plan in

subsequent years to achieve compliance and assure that all citizens of Hamilton County have access to its facilities, programs and services. It should also be noted that the prioritizations in this plan may also change based on changes in facilities, programs and services in future years. Thus, the goal of this plan is to create a working document going forward, to be evaluated by individual departments at least annually, with findings prioritized and included in subsequent budgets, as well as ensuring that new construction, programs and services incorporate the various applicable portions of the ADA to ensure compliance into future years.

Table of Contents

Executive Summary	Page i
Table of Contents	Page iii
Introduction	Page 1
Legal History	Page 2
Hamilton County ADA Background	Page 2
Committee Formation	Page 3
Policy Notification	Page 3
Grievance Policy	Page 4
Self-Evaluation	Page 6
Going Forward	Page 8

Introduction

Access to civic life by people with disabilities is a fundamental goal of the Americans with Disabilities Act (ADA). 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 persons 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.

More than 55 million Americans—18% of our population—have disabilities, and they, like all Americans, participate in a variety of programs, services, and activities provided by their State and local governments. This includes many people who became disabled while serving in the military. And, by the year 2030, approximately 71.5 million baby boomers will be over age 65 and will need services and surroundings that meet their age-related physical needs.

The ADA protects the rights of people who have a physical or mental impairment that substantially limits their ability to perform one or more major life activities, such as breathing, walking, reading, thinking, seeing, hearing, or working. It does not apply to people whose impairment is unsubstantial, such as someone who is slightly nearsighted or someone who is mildly allergic to pollen. However, it does apply to people whose disability is substantial but can be moderated or mitigated, such as someone with diabetes that can normally be controlled with medication or someone who uses leg braces to walk, as well as to people who are temporarily substantially limited in their ability to perform a major life activity. The ADA also applies to people who have a record of having a substantial impairment (e.g., a person with cancer that is in remission) or are regarded as having such an impairment (e.g., a person who has scars from a severe burn).

People with disabilities have too often been excluded from participating in basic civic activities like using the public transportation system, serving on a jury, voting, seeking refuge at an emergency shelter, or simply attending a high school sports event with family and friends. The Americans with Disabilities Act (ADA) is a Federal civil rights law that prohibits discrimination against people with disabilities. Under this law, people with disabilities are entitled to all of the rights, privileges, advantages, and opportunities that others have when participating in civic activities.

The Department of Justice revised its regulations implementing the ADA in September 2010. The new rules clarify issues that arose over the previous 20 years and contain new requirements, including the 2010 ADA Standards for Accessible Design (2010 Standards). This document provides general guidance to assist State and local governments in understanding and complying with the ADA's requirements.

Title II of the ADA applies to all State and local governments and all departments, agencies, special purpose districts, and other instrumentalities of State or local government ("public entities"). It applies to all programs, services, or activities of public entities, from adoption services to zoning regulation. Title II entities that contract with other entities to provide public services (such as non-profit organizations that operate drug treatment programs or convenience stores that sell state lottery tickets) also have an obligation to ensure that their contractors do not discriminate against people with disabilities.

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

Legal History

The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990, by President George H.W. Bush. The ADA is one of America's most comprehensive pieces of civil rights legislation that prohibits discrimination and guarantees that people with disabilities have the same opportunities as everyone else to participate in the mainstream of American life -- to enjoy employment opportunities, to purchase goods and services, and to participate in State and local government programs and services. Modeled after the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, religion, sex, or national origin -- and Section 504 of the Rehabilitation Act of 1973 -- the ADA is an "equal opportunity" law for people with disabilities.

To be protected by the ADA, one must have a disability, which is defined by the ADA as a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The ADA does not specifically name all of the impairments that are covered.

Hamilton County ADA - Background

Last fall, the Mayor tasked the Human Resources Risk Management Department with developing the County's Americans with Disabilities Act (ADA) Transition Plan. In order to accomplish this goal, a small committee was established to help research and develop the County's approach to this monumental task surveying facilities and services relative to the original 1990 legislation. This committee, composed of a select group of County employees and disability advocates, determined that the best approach was to conduct a self-evaluation last summer and prepare the final plans for submission to the Mayor and County Commission this fall to meet ADA directives and guidelines established by the Tennessee Department of Transportation.

Timeline overview of activity related to ADA and finalizing the County's Transition Plan:

- 1990 - Americans with Disabilities Act becomes law.
- 1991 - Hamilton County Government approves initial plans to come into compliance but no coordinated ADA work continued.
- 2015 – At the 25 year anniversary of the ADA, the Department of Justice and Department of Transportation begin process of evaluating ADA progress and instructing cities and municipalities to come into compliance or risk losing access to federal funds.
- 2016 (December) - Safety Program establishes ADA Committee.
- 2016 (December) - ADA Coordinator appointed, grievance policy developed and ADA Compliance Notice published on County Website.
- 2017 (Spring) – ADA committee develops and begins self-evaluation process.

- 2017 (August 24)– Self-Evaluations conducted and information returned to ADA Committee
- 2017 (Fall) - Transition Plan finalized for approval

Pending Deadlines:

- **2017 (December) - Commission Meeting: Mayor & Commission approve Transition Plan**
- **2018 (Fall) – Mayor and Commission submit progress report on Transition Plan**
- **2019 (December) – Federal Highway Administration must receive completed plans to re-sign Transportation Improvement Plan.**

Committee Formation

The ADA committee has been meeting regularly and working diligently to provide a method of evaluation that can be conducted easily with minimal interference of other work obligations and in a timely manner.

Purpose

Establish a committee to help facilitate a government-wide “Transition Plan,” to meet requirements under ADA Title II (Public Entities and Public Transportation).

Background

The Tennessee Department of Transportation (TDOT) initiated a review of regional Transportation Planning Organization (TPO) members to determine their compliance with regulations under the ADA. This process began by designating a County “ADA Coordinator” and posting a public notice of the County’s intent to pursue compliance. After attending several training sessions, the County’s ADA Coordinator began developing a committee to begin the next phase of the compliance process. In November 2016, the Mayor’s Office forwarded a letter from TDOT outlining the deadline for ADA Compliance and Self-Certification.

Policy Notification

Hamilton County Government Americans with Disabilities Act Notice

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), **Hamilton County Government** will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: **Hamilton County Government** 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 ADA.

Effective Communication: **Hamilton County Government** will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Hamilton 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: **Hamilton County Government** will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in **Hamilton County Government** 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 program, service, or activity of **Hamilton County Government**, should contact the office of the ADA Coordinator as soon as possible but no later than 48 hours before the scheduled event.

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

Complaints that a program, service, or activity of **Hamilton County Government** is not accessible to persons with disabilities should be directed to

ADA Coordinator
317 Oak Street, 2nd Floor
Chattanooga, TN 37403
423-209-6135

Hamilton County Government 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.

Grievance Policy

A public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to it alleging its noncompliance with this part or alleging any actions that would be prohibited by this part. The public entity shall make available to all interested individuals the name, office address, and telephone number of the employee or employees designated pursuant to this paragraph.

Furthermore, a public entity that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by this part.

The grievance procedure should include:

- a description of how and where a complaint under Title II may be filed with the government entity;
- if a written complaint is required, a statement notifying potential complainants that alternative means of filing will be available to people with disabilities who require such an alternative;

- a description of the time frames and processes to be followed by the complainant and the government entity;
- information on how to appeal an adverse decision; and
- a statement of how long complaint files will be retained.

Once a state or local government establishes a grievance procedure under the ADA, it should be distributed to all agency heads. Post copies in public spaces of public building and on the government's website. Update the procedure and the contact information as necessary.

In addition, the procedure must be available in alternative formats so that it is accessible to all people with disabilities.

**Hamilton County Government
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 **Hamilton County Government**. Hamilton County Government'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:

ADA Coordinator
317 Oak Street, 2nd Floor
Chattanooga TN, 37403
423-209-6135

Within 15 calendar days after receipt of the complaint, **the ADA Coordinator** or designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, **the ADA Coordinator** or 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 **Hamilton County Government** and offer options for substantive resolution of the complaint.

If the response by **the ADA Coordinator** or 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 **County Mayor's Office** or their designee.

Within 15 calendar days after receipt of the appeal, the **County Mayor's Office** or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **County Mayor's Office** or their 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 **the ADA Coordinator** or designee, appeals to the **County Mayor's Office** or their designee, and responses from these two offices will be retained by the **Hamilton County Government** for at least three years.

Self-Evaluation

The Department of Justice published the Americans with Disabilities Act of 1990 (ADA) title III regulations, which included the ADA Standards for Accessible Design (1991 Standards), on July 26, 1991.

The Department of Justice published revised regulations for Titles II and III of the ADA in the Federal Register on September 15, 2010. These regulations adopted revised, enforceable accessibility standards called the 2010 ADA Standards for Accessible Design (2010 Standards) and permitted the 1991 Standards to be used until March 14, 2012.

On March 15, 2012, the 2010 Standards became the enforceable standards under Titles II and III for new construction, alterations, program accessibility, and barrier removal.

What is Program Accessibility?

State and local governments must ensure that services, programs and activities, when viewed in their entirety, are accessible to people with disabilities. This is part of public entities' program accessibility obligations. Alterations to older buildings may be needed to ensure program accessibility. Generally this is a greater obligation than "readily achievable barrier removal" the standard that applies to public accommodations. State and local governments are not required to take any action that would result in undue financial and administrative burdens.

State and local governments' ADA obligations for program accessibility are in the Department of Justice's ADA title II regulations 28 CFR Part 35.150.

What is Readily Achievable Barrier Removal?

The Americans with Disabilities Act (ADA) requires public accommodations (businesses and non-profit organizations) to provide goods and services to people with disabilities on an equal basis with the rest of the public.

Businesses and non-profit organizations that serve the public are to remove architectural barriers when it is "readily achievable" to do so; in other words, when barrier removal is "easily accomplishable and able to be carried out without much difficulty or expense."

The decision of what is readily achievable is made considering the size, type, and overall finances of the public accommodation and the nature and cost of the access improvements needed. Barrier removal that is difficult now may be readily achievable in the future as finances change.

2010 ADA Standards for Accessible Design

This checklist is based on the 2010 ADA Standards for Accessible Design (2010 Standards). The specifications are in this checklist to help determine what may be readily achievable barrier removal for existing facilities. This checklist does not include all sections of the 2010 Standards. For example there are no questions about patient rooms in hospitals or guest rooms in hotels. Consult the 2010 Standards for situations not covered in the checklist. Full compliance with the 2010 Standards is required only for new construction and alterations.

Safe Harbor – Construction Prior to March 15, 2012

Elements in facilities built or altered before March 15, 2012 that comply with the 1991 ADA Standards for Accessible Design (1991 Standards) are not required to be modified to specifications in the 2010 Standards. For example, the 1991 Standards allow 54 inches maximum for a side reach range to a control such as the operating part of a paper towel dispenser. The 2010 Standards lower that side reach range to 48 inches maximum. If a paper towel dispenser was installed prior to March 15, 2012 with the highest operating part at 54 inches, the paper towel dispenser does not need to be lowered to 48 inches. Since the dispenser complies with the 1991 Standards, that Standard provides a “safe harbor.”

Elements in the 2010 ADA Standards Not in the 1991

The 2010 Standards contain elements that are not in the 1991 Standards. These elements include recreation facilities such as swimming pools, team and player seating, accessible routes in court sports facilities, saunas and steam rooms, fishing piers, play areas, exercise machines, golf facilities, miniature golf facilities, amusement rides, shooting facilities with firing positions, and recreational boating facilities. Because these elements are not in the 1991 Standards, they are not subject to the safe harbor exemption. Public accommodations must remove architectural barriers to these items when it is readily achievable to do so. For example, a hotel must determine whether it is readily achievable to make its swimming pool accessible by installing a lift, a sloped entry or both as specified in the 2010 Standards. State and local governments must consider accessibility improvements to these recreation areas to ensure “program accessibility.” For example a town must look at its play areas and determine which should be made accessible.

What this Checklist is Not

The ADA title II and III regulations require more than program accessibility and barrier removal. The regulations include requirements for nondiscriminatory policies and practices and for the provision of auxiliary aids and services, such as sign language interpreters for people who are deaf and material in Braille for people who are blind. This checklist does not cover those requirements. Since this checklist does not include all of the 2010 Standards it is not intended to determine compliance for new construction or alterations.

What are Public Accommodations?

Under the ADA public accommodations are private entities that own, lease, lease to or operate a place of public accommodation. This means that both a landlord who leases space in a building to a tenant and the tenant who operates a place of public accommodation have responsibilities to remove barriers. A place of public accommodation is a facility whose operations affect commerce and fall within at least one of the following 12 categories:

1. Places of lodging (e.g., inns, hotels, motels, except for owner-occupied establishments renting fewer than six rooms)
2. Establishments serving food or drink (e.g. , restaurants and bars)
3. Places of exhibition or entertainment (e.g. , motion picture houses, theaters, concert halls, stadiums)
4. Places of public gathering (e.g. , auditoriums, convention centers, lecture halls)
5. Sales or rental establishments (e.g. , bakeries, grocery stores, hardware stores, shopping centers)
6. Service establishments (e.g. , laundromats, dry-cleaners, banks, barber shops, beauty shops, travel services, shoe repair services, funeral parlors, gas stations, offices of accountants or lawyers, pharmacies, insurance offices, professional offices of health care providers, hospitals)

7. Public transportation terminals, depots, or stations (not including facilities relating to air transportation)
8. Places of public display or collection (e.g. , museums, libraries, galleries)
9. Places of recreation (e.g. , parks, zoos, amusement parks)Places of education
10. Places of education (e.g. , nursery schools, elementary, secondary, undergraduate, or postgraduate private schools)
11. Social service center establishments (e.g. , day care centers, senior citizen centers, homeless shelters, food banks, adoption agencies)
12. Places of exercise or recreation (e.g. , gymnasiums, health spas, bowling alleys, golf courses.

Evaluation Documents and Priorities

Priorities for Accessible Facilities

The checklist follows the four priorities in the Department of Justice ADA title III regulations. These priorities are equally applicable to state and local government facilities.

- **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**

Priority 1 – Approach & Entrance		Comments	Possible Solutions										
<p>1.1 Is there at least one route from site arrival points (parking, passenger loading zones, public sidewalks and public transportation stops) that does not require the use of stairs? [See 2010 ADA Standards for Accessible Design – 206.2.1]</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, location of route:</p>		Photo #:	<ul style="list-style-type: none"> • Add a ramp • Regrade to 1:20 maximum slope • Add a lift if site constraints prevent other solutions 										
<p>Parking Accessible parking spaces should be identified by size, access aisle and signage.</p> <p>1.2 If parking is provided for the public, are an adequate number of accessible spaces provided? [208.2]</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Accessible #:</p> <table border="1"> <thead> <tr> <th>Total Spaces</th> <th>Accessible Spaces</th> </tr> </thead> <tbody> <tr> <td>1 - 20</td> <td>1</td> </tr> <tr> <td>21 - 50</td> <td>2</td> </tr> <tr> <td>51 - 75</td> <td>3</td> </tr> <tr> <td>76 - 100</td> <td>4</td> </tr> </tbody> </table> <p>100+ see 2010 Standards 208.2</p>	Total Spaces	Accessible Spaces	1 - 20	1	21 - 50	2	51 - 75	3	76 - 100	4		Photo #:	<ul style="list-style-type: none"> • Reconfigure by repainting lines •
Total Spaces	Accessible Spaces												
1 - 20	1												
21 - 50	2												
51 - 75	3												
76 - 100	4												
<p>1.3 Of the accessible spaces, is at least one a van accessible space? [208.2.4]</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>*For every 6 or fraction of 6 parking spaces required by the table above, at least 1 should be a van accessible space.</p>	Photo #:	<ul style="list-style-type: none"> * If constructed before 3/15/2012, parking is compliant if at least 1 in every 6 accessible spaces is van accessible • Reconfigure by repainting lines 										

Cost estimates were provided by the County Engineering Department based on quotes and estimates from previous years. These estimates do not necessarily reflect current pricing for work or materials needed. Some estimates will vary based on the square footage, number of items, etc. that need to bring specific sites into compliance. It should be noted that true pricing will not be known until actual work is bid out and/or completed based on current pricing agreements.

Non-Compliance Summary

- **Priority 1** Approach and Entrance surveyed 68 County Facilities and Properties and found a total of 576 issues of non-compliance in 50 out of 70 Categories.
- **Priority 2** Access to Goods and Services surveyed 58 County Facilities and Properties and found a total of 382 issues of non-compliance in 67 of 126 Categories
- **Priority 3** Toilet Rooms surveyed 71 County Facilities and Properties and found a total of 1555 issues of non-compliance in 81 out of 82 Categories.
- **Priority 4** Additional Access surveyed 64 County Facilities and Properties and found a total of 46 issues of non-compliance in 21 of 23 Categories
- **Improvements to the Public Right of Way**

Public "Right-of-Way" Summary

Curb ramps are a small, but important part of making sidewalks, street crossings, and the other pedestrian routes that make up the public right-of-way accessible to people with disabilities. The federal government has begun a rulemaking process to revise the accessibility requirements for public rights-of-way. The Architectural and Transportation Barriers Compliance Board (Access Board) is developing new accessibility guidelines. The new guidelines will cover pedestrian access to sidewalks and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other parts of the public right-of-way. The new guidelines will likely address issues such as access at street crossings for pedestrians who are blind or have low vision, wheelchair access to on-street parking, and constraints posed by space limitations, roadway design practices, slope, and terrain. On November 23, 2005, the Access Board published revised draft accessibility guidelines for public rights-of-way, which are available on its website at www.access-board.gov/prowac/index.htm. In developing these draft guidelines, the Access Board obtained recommendations from an Advisory Committee composed of representatives from disability organizations, public works departments, transportation and traffic engineering groups, the design and civil engineering professions, government agencies, and standards-setting bodies. The Advisory Committee's report is available on the Access Board's website at www.access-board.gov/prowac/commrept/index.htm. Although any ADA guidelines developed by the Access Board will not be enforceable under Title II of the ADA until the Department of Justice and the U.S. Department of Transportation issue regulations adopting them as standards, the Access Board's website provides information discussing accessibility concerns relating to curb ramps, sidewalks, pedestrian crossings, and other pedestrian routes.

Recreation Summary

Additional surveys were conducted at 14 Recreational Facilities. These surveys were conducted to evaluate the accessibility of grounds and facilities for Recreation (Priority #5) and for Playgrounds (Priority #6).

Going Forward

The ADA Committee will continue to be the resource for the evaluation of County facilities, programs, services and events to facilitate compliance with the ADA with the assistance and support of the County Mayor and the County Commission. To meet the goals, the Committee will incorporate all aspects of ADA compliance into the relevant programs and services offered by County government.

- Quarterly Meetings and updates on ADA and Access-related regulations.
- Continued monitoring of and guidance on the ADA Transition Plan.
- Advisement on Access issues for future projects and facilities.
- Integration of input from the local disability community on important needs.
- Pursuit of program compliance through the ADA Title II Best Practices Toolkit.
 - Coordinator, Notice, and Grievance Procedure
 - Effective Communication
 - Website Accessibility
 - Curb Ramps and Pedestrian Crossings
 - 911 and Emergency Communication Services
 - Emergency Shelters
- Annual reporting and evaluation of progress with ADA Compliance