

TOWN of CAMDEN
AMERICANS WITH DISABILITIES ACT (ADA)
TITLE II TRANSITION PLAN



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I. INTRODUCTION AND BACKGROUND

A. Information on the Americans with Disabilities Act (ADA)

SUMMARY

The Americans with Disabilities Act (ADA) was passed into law on July 26th, 1990. The ADA provided civil rights protection to people with disabilities. The ADA along with the Civil Rights Act of 1964 and the Section 504 of the Rehabilitation Act of 1973 provide protection for Americans with Disabilities. The ADA applies to the facilities of the town that are provided both to the public and the town employees.

The Americans 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. The ADA is companion civil rights legislation with the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. This legislation mandates that qualified disabled individuals shall not be excluded from participation in, denied the benefit of, or be subjected to discrimination under any program or activity. The Act also provides disabled employees with certain protections and requires employers to make reasonable accommodation for disabled applicants and employees.

The ADA is divided into five parts, covering the following areas:

Part 1: Employment

Under this title, employers, including governmental agencies, must ensure that their practices do not discriminate against persons with disabilities in the application, hiring, advancement, training, compensation, or discharge of an employee, or in other terms, conditions, and rights of employment.

Part 2: Public Services

This Title prohibits local governments from discriminating against persons with disabilities or from excluding participation in or denying benefits of programs, services, or activities to persons with disabilities. It is under this Title that this self evaluation is prepared. The self-evaluation is intended to outline programs and services of the Town and to evaluate what policies and procedures must be changed or implemented to comply with Title II.

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Part 3: Public Accommodations

Title III requires places of public accommodations to be accessible to and usable by persons with disabilities. The term “public accommodation” as used in the definition is often misinterpreted as applying to public agencies, but the intent of the term is to refer to any privately funded and operated facility serving the public.

Part 4: Telecommunications

This Title covers regulations regarding Town services regarding telecommunications with Town residents and visitors.

Part 5: Miscellaneous Provisions

This Title contains several miscellaneous regulations, including construction standards and practices, provisions for attorney’s fees, and technical assistance provisions. Title II dictates that a public entity must evaluate its services, programs, policies, and practices to determine whether they are in compliance with the nondiscrimination regulations of the ADA. The regulations detailing compliance requirements were issued in July, 1991. These regulations mandate that each public entity is required to examine activities and services, identify problems or physical barriers that may limit accessibility by the disabled, and describe potential compliance solutions. The entity must then proceed to make the necessary changes resulting from the self evaluation. The ADA further requires that a transition plan be prepared to describe any structural or physical changes required to make programs accessible. In the ADA, the term “disability” means, with respect to an individual:

- 1) A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- 2) A record of such an impairment; or
- 3) Being regarded as having such impairment.

If an individual meets any one of these three tests, he or she is considered to be an individual with a disability for purposes of coverage under the ADA. The Final Rules of the ADA describe in greater detail the conditions included and excluded as disabilities under the ADA, and these rules should be referred to if more detailed descriptions of covered disabilities are desired

There is one exception to the requirements which is Undue Hardship. Undue Hardship is defined in the ADA as an action requiring significant difficulty or expense when considering the nature and cost of the accommodation in relation to the size, resources and structure of a specific operation, facility or services. These exemptions are considered on a case basis but should be considered by the Town.

B. Definitions

As used in this Transition Plan (Plan), the following terms shall have the meaning ascribed to them in this Section, which are consistent with the provisions of existing federal and state law, including the regulations promulgated there under. Except to the extent expressly stated to the contrary, any term not expressly defined in this Section or elsewhere in this Transition Plan that has an expressly defined meaning in either the ADA or the regulations promulgated there under ("Regulations") shall have the meaning ascribed to it by the ADA or the Regulations, in that order of preference. All other terms shall be interpreted according to their plain and ordinary meaning.

ADA/ADAAG: "ADA" means and refers to the Americans with Disabilities Act as contained at 42 U.S.C. § 12101 et seq. "ADAAG" means and refers to the Americans with Disabilities Act Access Guidelines, codified at Appendix A to 28 Code of Federal Regulations part 36 and at Appendix A to 49 Code of Federal Regulations part 37. "ADAAG Standards" means and refers to physical conditions that meet the new construction and/or alterations standards set forth in ADAAG.

Compliance Period: "Compliance Period" means and refers to the period of time for which this Transition Plan will be in effect. The Transition Plan shall become effective upon *Final Approval*, and remain in effect for up to 30 years. The Town may dissolve the Transition Plan at any time upon a showing that it provides *Program Access to Pedestrian Rights of Way* or upon a showing that it has met or exceeded the monetary obligations specified in this Transition Plan. Alternatively, the Transition Plan will remain in effect until it dissolves automatically 30 years after *Final Approval*.

Compliant Curb Ramp: "Compliant Curb Ramp" means and refers to a *Curb Ramp* that is constructed to comply with state and/or federal law (whichever provides the higher access standard) in place at the time of construction. In the case of a location where it is *Structurally Impracticable* or *Technically Infeasible* to build a fully compliant *Curb Ramp*, or where construction of a fully compliant *Curb Ramp* would constitute a *Fundamental Alteration* of a service, program, or activity of the Town or an *Undue Burden* on the Town, a *Curb Ramp* that complies with access standards, or was constructed to the standards existing at the time of construction, or to the maximum extent feasible, will constitute a *Compliant Curb Ramp* as long as the requirements set forth in this Transition Plan for justifying the reasons for the Town to avoid full compliance are met.

Curb Ramp: "Curb Ramp" is used interchangeably with "curb cut."

Detectable Warnings: "Detectable Warnings" means and refers to truncated domes which provide a tactile surface at the transition between the curb and the street, assisting pedestrians with vision disabilities in determining when they enter the street.

Final Approval: "Final Approval" means and refers to the date when the Town Council approves the "Americans with Disabilities Act (ADA) Transition Plan" for the Town.

Fundamental Alteration: "Fundamental Alteration" means and refers to an action that, if taken by the Town, would result in a fundamental alteration in the nature of the service, program or activity of *Pedestrian Rights of Way* in the Town. If the Town claims that any action otherwise

required by this Transition Plan would constitute a *Fundamental Alteration*, the Town shall have to demonstrate that such alteration would result, and the decision that an action would constitute a *Fundamental Alteration* must be made by the ADA Coordinator, or his or her designee, after considering all funds available for such work, and must be accompanied by a written statement of the reasons for reaching that conclusion.

Mobility Disability: “Mobility Disability” means and refers, with respect to an individual, to any physical or mental impairment or condition that substantially limits an individual’s ability to move his or her body or a portion of his or her body and includes, but is not limited to, orthopedic and neuron-motor disabilities and any other impairment or condition that limits an individual’s ability to walk, maneuver around objects, ascend or descend steps or slopes, and operate controls. An individual with a *Mobility Disability* may use a wheelchair or motorized scooter for mobility, or may be semi-ambulatory.

Pedestrian Rights of Way: “Pedestrian Rights of Way” means and refers to all sidewalks over which the Town has responsibility or authority as well as all *Curb Ramps* and crosswalks serving such sidewalks and any other pathways used by pedestrians along public rights of way, including pedestrian pathways through public parking lots.

Statutory Defenses: “Statutory Defenses” means and refers to the Town’s right to assert under this Transition Plan that removal of any barrier or installation of a compliant *Curb Ramp* is not required because such barrier removal or *Curb Ramp* installation would be technically infeasible, or structurally impracticable, or that it would constitute an *Undue Burden* or *Fundamental Alteration*.

Structurally Impracticable: “Structurally Impracticable” means and refers to circumstances in which the unique characteristics of terrain prevent the incorporation of accessibility features. If it is structurally impracticable to provide full access at any location along pedestrian rights of way, the Town shall comply with access requirements to the extent that it is not *Structurally Impracticable* to do so. (See ADAAG § 4.1.1(5)(a)).

Technically Infeasible: “Technically Infeasible” means, with respect to an alteration of a building, facility or pedestrian right of way, that it has little likelihood of being accomplished because existing physical or site constraints or a lack of public right of way prohibit modification or addition of elements, spaces, or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility (See ADAAG § 4.1.6(1)(j)).

Third Party Entity: “Third-Party Entity” means an entity other than the Town that controls certain barriers or elements of barriers in a pedestrian right of way. Local utilities are examples of *Third Party Entities*.

Undue Burden: “Undue Burden” means and refers to an action that, if taken by the Town, would result in an undue financial and administrative burden. In order to demonstrate that removal of a barrier would constitute an *Undue Burden*, the decision must be made by the Town Council President, or his/her designee, after considering all resources available from the **Advisory Committee Fund**, and any other source of funding identified in this Agreement available for removal of sidewalk barriers, and must be accompanied by a written statement of

the reasons for reaching that conclusion. In preparing such a statement, the Town designee may consider the usability of the existing facilities.

C. Purpose of Plan

The purpose of the Plan is to ensure that the residents of the Town are provided full access to the Town's programs, services and activities quickly and efficiently by insuring barriers are removed and services are in place to either directly provide the service, or provide a point of contact to get the service in place as the need is identified. The Town's elected officials and staff believe the ability to accommodate disabled persons is essential to good customer service, quality of life and to effective Town service. The Town takes a service approach rather than a governance approach to its residents. This Plan has been prepared after careful study of all of the Town's programs, services and activities.

NON-DISCRIMINATION

No person shall, on the grounds of race, color, or national origin, be excluded from participation, be denied the benefits of, or be subjected to discrimination under any Town program or activity.

INDIVIDUALS WITH DISABILITIES

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 the Town, or be subjected to discrimination by the Town. Nor shall the Town exclude or otherwise deny equal services, programs, or activities to an individual because of the known disability of an individual with whom the individual is known to have a relationship or association.

DEFINITION

A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the town.



NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

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

Employment: The Town of Camden 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: The Town of Camden 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 Town of Camden 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 Town of Camden 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 The Town of Camden 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 The Town of Camden should contact the office of The Clerk as soon as possible but no later than 48 hours before the scheduled event.

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

Complaints that a program, service, or activity of The Town of Camden is not accessible to persons with disabilities should be directed to *The Office of the Clerk*.

The Town of Camden 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.

D. Federal Requirements

This document is being developed in accordance with federal requirements outlined in Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1992.

Section 504 of the Rehabilitation Act of 1973

Often referred to as the civil rights act for people with disabilities, the Rehabilitation Act requires that all organizations receiving federal funding make their programs available to people of all abilities. It states:

No otherwise qualified [disabled] individual in the United States shall, solely by reason of [disability], be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

The Town designates the Clerk-Treasurer and the Utility Superintendent as the ADA coordinators, who will ensure that the program, service or activity receiving the funding meets the requirements of the law, and responds to any complaints from citizens or request for information from a funding agency.

Americans with Disabilities Act (ADA) – Titles I and II

The U.S. Congress signed the ADA in 1990, and it went into effect in 1992. The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in access to jobs, public accommodations, government services and programs, public transportation and telecommunications.

Title I of the ADA prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. The town is an equal Employment Opportunity (EEO) employer and adheres to the requirements of Title I.

Title II of the ADA adopts the general prohibitions against discrimination contained in Section 504 of the Rehabilitation Act of 1973, but applies to all state and local governments, regardless of whether or not they receive federal funding. It prohibits the town from denying persons with disabilities the equal opportunity to participate in the services, programs or activities, either directly or indirectly through contractual arrangements.

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The administration requirements contained in Title II that apply to the Town are:

- Designation of an ADA Coordinator responsible for overseeing Title II compliance;
- Development of an ADA grievance / complaint procedure;
- Completion of a self-evaluation of facilities, programs and services; and
- Development of a transition plan if the self-evaluation identifies any accessibility deficiencies.

E. State Requirements

The State of Indiana officially adopted the International Building Code (IBC) as its building code. The IBC includes provisions ensuring that public facilities are accessible to and usable by persons with disabilities. Pursuant to requirements of the State of Indiana, The Town complies with the IBC for all new construction plans and submits all plans to the Department of Homeland Security for a design release prior to issuing local permits.

F. Town Requirements under the ADA

Under the ADA Title II the Town has specific requirements which apply that need to be addressed. Non-discrimination will be based on the protections to persons with disability as defined in Title 2, outlined under I. A. above. All Town services, departments and facilities need to comply with Title II unless the hardship exemption applies. The Town is responsible for not only official Town departments but also any Town related organizations. These could include Town partners in which the Town provides facilities or services including festivals, Town functions, Town sponsored events such as events in the park etc.

All persons who have a disability under the ADA must have access to the Town's:

- SERVICES
- ACTIVITIES
- PROGRAMS
- FACILITIES

The ADA definition of a disability includes: mobility impaired, speech, vision or hearing impaired, cognitive or developmentally impaired, in addition to other impairments.

To comply with Title II the Town will continually evaluate and remove barriers to accessibility and services under the following categories:

- Physical Barriers including parking, sidewalks and walking paths, entry doors to public building, services window and counters in public facilities, restrooms, curb ramps, handicapped parking spaces, stairs in public facilities (absent of railing or handrails), and corridor widths in public facilities.

- Program Barriers such as Braille signs at appropriate places, building signage, public facilities signage, customer communications, public telephone access, emergency warning signals, and communications including telephone and internet,

The Town will continue to evaluate existing and new facilities and renovate existing facilities to comply, and design new facilities with no physical or programming barriers in accordance with the ADA Title II. This plan will be made available to the public at the Town Hall and referenced in Town publications and on Town event materials.

G. Relationship to other plans

This document is a stand alone document with the purpose of identifying where the Town does and does not meet the ADA Title II requirements. It is not intended to be coordinated with any other plans and is not dependent on other plans for its purpose or implementation.

II. ADA COORDINATOR & ADVISORY COMMITTEE

A. Coordinator and Advisory Committee

Practical considerations for a smaller town require existing staff to take on the duties for ADA compliance. The Town of Camden names CO-ADA Coordinators as the Clerk-Treasurer and the Town Utility Superintendent. This position is responsible for ensuring that all programs, services and activities of the Town are accessible to and usable by individuals with disabilities. The Clerk-Treasurer and Utility Superintendent report to the Council President for these duties.

An Advisory Committee consisting of the Town Council shall set priorities and funding for the implementation of the barrier removal. The Town shall place ADA as an agenda on their monthly council meetings. The town office, listed on the first page of this document, should be contacted with questions or concerns.

B. Notices to Be Posted & Public Meetings /Hearings

When advertising for any public meeting the Town needs to include language that any persons with any disability needing assistance should contact the Town. Contact information is listed on page 1 (one) of this document. Additional information on accessibility may be included to meet specific events or circumstances.

C. ADA Self-Evaluation and Transition Process

The Self-Evaluation is the Town's internal assessment of the accessibility of its facilities, programs, services and activities. It includes site assessment surveys of all public facilities, parks and roads owned by the town, and written survey of all Town departments about the accessibility of their programs, services and activities.

According to the requirements of the ADA, a Transition Plan must include a list of necessary improvements to be made on the results of the Self-Evaluation, including estimated time frames and cost for each. This information is available in this document.

D. Community Outreach Program

This current update will be posted on the Town's website. Key stakeholder groups and the general public are invited to review and provide input on it for at least three years. Comments can be directed to the ADA Coordinator.

The Town will update the plan and its associated improvement project lists once per year to reflect completed improvement projects, or additions or changes suggested by the public, as appropriate.

ADA Program Web Page: <http://www.townofcamden.org/>

E. Monitoring & Annual Report

At the conclusion of each fiscal year until the end of the Compliance Period, the Co-ADA Coordinators shall provide a report ("Annual Report") to the Town Council describing the actual work done to implement this Transition Plan during the previous twelve months and a prospective plan of projects the Town plans on undertaking to improve access to Pedestrian Rights of Way in the upcoming year.

1. The Annual Report

An Annual Report will be completed within one hundred and twenty (120) days from the end of the fiscal year and will include:

a. A summary or listing of all written complaints or requests for removal of particular barriers received since the prior report, including information specifying whether the Town has taken action to remove the barrier.

b. Summaries of work done to ensure access and/or remove access barriers in conjunction with asphalt overlay projects, projects completed with Dedicated Funds and projects completed with the **Advisory Committee Fund**.

c. A list of all barriers, if any, for which the Town asserts that it has a Statutory Defense excusing installation of a Compliant Curb Ramp or removal of an access barrier. If the Town asserts that it has a Statutory Defense that limits its ability to remove a barrier or to install a Curb Ramp that meets all current standards, the Town will include in the report a written statement by the Co-ADA Coordinators(or his/her designee) providing the reasons for reaching that conclusion. To the extent that the Town claims that installation of a fully compliant Curb Ramp or removal of an existing barrier would be an Undue Burden, the written statement will include his/her consideration of all resources available from the **Advisory Committee Fund** and any other source of funding set forth in this Agreement as available for the removal of access barriers.

d. Information regarding the removal of barriers along the Pedestrian Rights of Way from the Co-ADA Coordinators.

e. Information describing efforts made by the Town or Advisory Committee to leverage additional programs or funding sources to install Compliant Curb Ramps or remove access barriers in the Pedestrian Rights of Way.

f. Information regarding efforts at Community Outreach, and any action being taken as a result of such community outreach.

g. Information documenting all barrier removal efforts accomplished in conjunction with Third Parties (such as utility companies).

h. A prospective plan of projects for the upcoming year based on the priority recommendations of the Town's ADA Advisory Committee; and approved by the Co-ADA Coordinators or his/her designee.

i. A Monitoring Report, as described below, for the first three years of the Compliance Period.

2. Monitoring Report

The Town will monitor the compliance with this Transition Plan for a period of three years from the date of execution. The Co-ADA Coordinators will annually inspect 8-10% of the locations within the Pedestrian Rights of Way at which barriers have been removed to ensure that such barrier removal is completed properly within acceptable tolerances. Such inspections will determine whether there are remaining barriers at sites that were identified as having all barriers removed, or whether barrier removal work was completed properly. The Co-ADA Coordinators will annually produce a report ("Monitoring Report") containing his/her findings to the Town. The Monitoring Report may be prepared in conjunction with or as part of the Annual Report at the discretion of the Co-ADA Coordinators.

F. Staff Training

The Town has identified the need for regular and recurring employee training about a variety of subjects related to the requirements and regulations of the ADA. This information can be provided to employees through online training courses or through training tools (e.g. PowerPoint presentation, video, etc.), through online training courses or through formal classroom training. The Town's training and education needs include:

- Location and use of TTY text telephones (placing and receiving calls) IF ANY
- Responding to requests for materials in alternate formats, including accessing Braille printer, getting audio recordings, providing enlarged text. Etc.
- Responding to requests for accommodations at public meetings and events, including getting a sign language interpreter, securing additional disabled parking spots, etc.
- Providing accessible Web content (alternate text, fonts, PDF's)
- General information about working with disabled customers as it pertains to the Town
- General information about Section 504 of the Rehabilitation Act of 1973 and its legal requirements
- How both the ADA and Section 504 are different from Section VI of the Civil Rights Act of 1964

In addition to providing this information to all existing employees and new hires, the Town should provide all employees with annual reminders about ADA requirements with links to instructional information. Any changes to the law affecting the Town should also be monitored and shared with employees as appropriate. This continuing education effort should occur in coordination with the annual updates that will be made to this Transition Plan.

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G. Local television & Print Media

There are no direct local television stations serving the Town and no capability to provide closed caption. The local newspaper covers the Council meetings, and interested persons may contact the local newspaper for ADA accessible material.

H. Changes to Contracting & Purchasing Procedures

The Town will require reasonable changes to vendors doing business with the Town to insure they follow the ADA procedures.

I. Website- <http://www.townofcamden.org/>

III. ACCOMMODATIONS AND GRIEVANCE POLICY & PROCEDURES

A. General Information

The Town has developed a grievance policy which is included in this section. The Town is required to accept and resolve all complaints by the general public. Information on requesting ADA accommodations, grievance procedures and reasonable modifications is included in this section.

B. Requesting an ADA Accommodation

The Request for Accommodation should be made and include the name, address and telephone number of the individual requesting the accommodation (see appendix for Request for Accommodation Form). The request should contain the location of the program, service, activity or facility where the accommodation is required and a description of why the accommodation is needed.

Within fifteen (15) calendar days of the written request, the Co-ADA Coordinators will respond to the individual requesting the accommodation. If the response by the Co-ADA Coordinators does not satisfactorily resolve the issue, the individual making the request may file a formal grievance with the responsible department(s). All Requests for Accommodations received by the Co-ADA Coordinators will be kept by the Town for at least three (3) years.

C. Filing an ADA Grievance

The Town has a formal grievance procedure in place to provide citizens a means to file complaints regarding: (See appendices for the grievance form)

- The Town policies or its provisions of services, activities and programs to persons with disabilities;
- Alleged violations of Title II of the ADA or Section 504 or the Rehabilitation Act of 1973 by the Town, its departments or employees; and
- Structural and parking accessibility issues on Town-owned or controlled property.

The Co-ADA Coordinator is limited to the funding already available for capital improvement projects when responding to grievances that request barrier removal or structural modifications. In the event that the available funds are insufficient or already expended on other projects, improvements will be prioritized and scheduled in subsequent fiscal years.

The availability and use of this grievance procedure does not preclude filing a complaint of discrimination with any appropriate state or federal agency. Use of this grievance procedure is not a prerequisite in the pursuit of other remedies.

Step 1: To file a grievance, please send a letter or email to the Co-ADA Coordinator (see contact information on page 2) that includes the following information:

- Your full name, address and telephone number;

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- The full name of the person who was discriminated against (if someone other than yourself);
- The name and address of the program, service, activity or facility where the incident took place;
- A description of the incident, the date(s) it occurred and the name(s) of any Town employee involved (if known); and
- Other information that you believe necessary to support your complaint. Please send us copies of any relevant documents, but keep the originals for your own records.
- Forms are available from the coordinator to provide this information

The Co-ADA Coordinators will notify the complainant in writing if any additional information is needed. If the requested information is not provided, the Co-ADA Coordinators shall close the complaint.

Step 2: The Co-ADA Coordinators will meet with or contact the complainant within 15 days of receipt of the grievance to discuss possible solutions.

Step 3: Within 15 calendar days of that meeting or discussion, the Co-ADA Coordinators will respond in writing or in a format accessible to the complainant, explaining the position of the Town and offering options for resolution of the complaint.

If the response does not satisfactorily resolve the issue, the complainant may appeal the decision to the Council President within 15 calendar days after receiving the response. Steps 1-3 will then begin again, this time with the Council President or an appointed representative as the primary contact. Complaints should also provide an explanation about why the Town's initial response was not satisfactory.

All formal grievances received by the Co-ADA Coordinators, appeals to the Council President and responses from the Co-ADA Coordinators and the Council President, will be kept on file for at least three years.

D. Grievance Procedure

Any party bringing a grievance shall use the form, (copy included in the appendices) and submit to the Town Clerk-Treasurer. The procedure under C. above will be followed. Persons may also file a grievance with the US Department of Justice directly if so desired.

E. Accommodation and Grievance Response

In responding to request(s) for structural improvement brought through the ADA Accommodation and Grievance process, the Co-ADA Coordinators are limited to the funds in the **Advisory Committee Fund**. In the event that these allocated funds are insufficient or already spent, subsequent improvements will be prioritized and scheduled in subsequent fiscal years.

F. Reasonable Modifications

The Town shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the Town can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

G. Printed materials & alternate formats

The Town produces a variety of informational and promotional materials for public use, including maps, brochures, forms, newsletters, fact sheets, reports, and plans. Recommendations of this Transition Plan are:

- All departments must be able to provide documents and other printed materials in alternate formats, as requested. This includes Braille, audio recording, enlarges print and computer disks at no charge to the individual making the request. Instructions about how to provide the alternate formats should be provided to all employees, with reminders sent out once a year. Alternatively, a location where such material can be obtained will be provided if the Town is simply passing the material along.
- Include the following statement (or something similar) on all printed materials provided to the public, including brochures, fact sheets, handouts, flyers, maps, forms, reports and newsletter: *Alternate Formats Available – If materials is needed in an alternative format contact the Clerk-Treasurer at 574-686-2121 or email townofcamden@tds.net. Office hours are Mon, Tue, Thurs and Fri 8:30- 4:00 and Wed 8:30 – Noon.*

Note: If document is going to be used for more than one year without updates, please select generic customer service telephone number and email address for your department, if available.

H. Auxiliary Aids and Services

"Auxiliary Aids and Services" includes:

1. Qualified interpreters, note takers, transcription services, written materials, assistive listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments
2. Qualified readers, taped texts, audio recordings, brailled materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments
3. Acquisition or modification of equipment or devices
4. Other similar services and actions.

IV. IDENTIFICATION OF & PLAN TO REMOVE SIDEWALK & FACILITY BARRIERS

A. General Information

The primary purpose of the ADA law is to provide public services and facilities that are free from barriers to persons with handicaps. The process outlined in this document includes criteria to determine: what is a barrier, inventory to determine where the barriers are and a schedule to remove the barriers, including what the cost will be and the timeline for the town to be 100% barrier free to persons who has a disability.

B. Criteria for Determining Existence of Impediment

For sidewalks the criteria is well published and the details are included in this report. There needs to be handicapped ramps with detectable warning in place at all intersections. There needs to be at least one sidewalk that meets ADA on all streets. The inventory shows where the town is compliant and where the town is not compliant.

For structures and facilities criteria will be established to determine whether corrective action needs to be taken at a particular facility. The criterion includes, but is not limited to:

1. The nature of unique programs or services. Some facilities and sites are the only location that a particular program or service may be provided;
2. Facilities already in compliance with ADA accessibility guidelines. Some Town facilities were constructed after the effective date of the ADA and are in compliance;
3. Ability to relocate programs from one facility to another accessible facility. Because the Town offers special programs and services at more than one location, consideration was given to distribution of the special programs and services when viewed in their entirety;
4. Current state of accessibility. The current condition of each facility in terms of barriers already removed, or planned to be removed will be identified by Town administration;
5. Cost. The cost of alternatives to physical barrier removal versus alternative corrective action plan; and Public use will be considered.
6. The population served by a particular program or service and whether the public can obtain service from an alternative Town location.

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C. Inventory of the sidewalks and public facilities

PUBLIC FACILITIES

FACILITY NAME	ADDRESS	COMPLIANT	IF NOT COMPLIANT DEFICIENCIES NOTED
Town Hall Utilities	153 W. Main Street	Yes	None
Town Hall Business Office	153 W. Main Street	Yes	None
Community Center	153 W. Main Street	Yes	None
Water Filter Plant	Cumberland Street	Yes	None
Wastewater Treatment Plan	Cemetery Street	No	Not Required Public has no access. Is Compliant for town employees
Medical Clinic	132 W Main Street	Yes	None

SIDEWALKS

STREET	FROM	TO	SIDEWALK LOCATION				C=Compliant, W=Width Deficiency, S= Cross Slope Deficiency, H=Hazard Present				PRIORITY Year or No Action Required (NAR)
			N	S	E	W	N	S	E	W	
Sanderson	Cemetery	SR218									NAR
	SR218	Cumberland									NAR
	Cumberland	Washington									NAR
Union	Cemetery	SR218									NAR
	SR218	Cumberland									NAR
	Cumberland	Washington									NAR
Church	Cemetery	SR218									NAR
	SR218	Cumberland									
	Cumberland	Washington									NAR
Monroe	Cemetery	SR218									
	SR218	Cumberland									
	Cumberland	Washington									
	Washington	James									
Water	SR218	Cumberland									
	Cumberland	Washington									
	Washington	James									
Armstrong	SR218	Cumberland									NAR
	Washington	James									NAR
Ohio	SR218	Cumberland									
	Cumberland	Washington									NAR
	Washington	James									NAR
Indiana	SR218	Cumberland									
	Cumberland	Washington									
	Washington	James									NAR
Illinois	SR218	Cumberland									NAR
	Cumberland	Washington									NAR
	Washington	James									NAR
Lee	SR218	Cumberland									
	Cumberland	Washington									
Cemetery	Sanderson	Union									NAR

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	Union	Church									NAR
	Church	Monroe									NAR
Cumberland	Sanderson	Union									
	Union	Church									
	Church	Monroe									
	Monroe	Water									
	Water	Armstrong									
	Armstrong	Ohio									
	Ohio	Indiana									
	Indiana	Illinois									
	Illinois	Lee									
	Monroe	Water									NAR
Washington	Water	Armstrong									NAR
	Armstrong	Ohio									
	Ohio	Indiana									
	Indiana	Illinois									
	Illinois	Lee									
	Monroe	Water									NAR
James	Water	Armstrong									NAR
	Armstrong	Ohio									NAR
	Ohio	Indiana									NAR
	Indiana	Illinois									NAR

CURB RAMPS

MAJOR STREET	CROSS STREET	RAMP PRESENT				C=Compliant, D=Detectable Warning Deficiency, S= Slope Deficiency, H= Hazard or Ramp Construction Deficiency				PRIORITY Year or No Action Required (NAR)
		NE	NW	SE	SW	NE	NW	SE	SW	
Sanderson	Cemetery									
	SR218									
	Cumberland									
	Washington									
Union	Cemetery									
	SR218									
	Cumberland									
	Washington									
Church	Cemetery									
	SR218									
	Cumberland									
	Washington									
Monroe	Cemetery									
	SR218									
	Cumberland									
	Washington									
	James									
Water	SR218									
	Cumberland									
	Washington									
	James									
Armstrong	SR218									
	Cumberland									
	Washington									
	James									
Ohio	SR218									
	Cumberland									
	Washington									
	James									
Indiana	SR218									
	Cumberland									
	Washington									

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	James									
Illinois	SR218									
	Cumberland									
	Washington									
	James									
Lee	SR218									
	Cumberland									
	Washington									

D. Identification and Location of Physical Barriers

The only barriers are sidewalk related, and the town staff is completing the inventory stated above.

E. Schedule for Removing Barriers and Making Modifications

The Town will conduct projects throughout the next 30 years, spending at least the Advisory Committee amount each year of \$500 until all barriers are removed. The barriers are all sidewalks related and the town should be able to complete the work within the time frame, and will seek additional funds to complete the work more quickly as outside funds become available.

F. Barriers Under Control of Third Party Entities

The Town will require all vendors who provide any services in connection with the Town, or as partners to the Town to make their facilities available in accordance with ADA Standards and requirements.

G. Name of the Official Responsible for Making the Modifications

The Town has limited staff and resources. The Town will designate that the Utility Superintendent is the responsible person to identify and submit the list to the Clerk-Treasurer. The improvements will be scheduled when sufficient funding is available. Once the project has been funded then the Superintendent will insure the repairs are made by a qualified contractor, in accordance with Town and state bidding requirements.

H. An Estimate of the Cost for Making the Modifications

The costs to remove all barriers are estimated to be \$20,000.

I. Method Used to Make Facility Accessible

The Town will bring sidewalks and sidewalk ramps into compliance with ADA Standards by reconstruction, or initial construction. Ramps and curb cuts will be made for access with detectable warnings. Sidewalks will be widened and protected against steep curbs and drops

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by railing or other barrier. Where there are no sidewalks on either side of a street, a sidewalk will be added.

The Town will make facilities accessible by;

- Widening any doors and removing any threshold obstructions to entry. The door tension shall be reduced for easy opening and closing. Alternatively, if funding is available, an automatic door opener will be used.
- Providing ramps to buildings with stair entries. Ramps will meet slope requirements and have the proper landing for door opening and mobility assistance device maneuvering.
- Providing extra space for mobility assistance devices at meetings and events.
- Providing communications assistance as listed under Section III G and H.

J. Limits of Barrier Removal & Required Modifications & Undue burden

The Town is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision that compliance with the Town's responsibility to provide effective communication for individuals with disabilities would fundamentally alter the service, program, or activity or unduly burden shall be made by the Board after considering all resources available for use in funding and operating the program, service, or activity. The decision shall be accompanied by a written statement of the reasons for reaching that conclusion.

K. Nonphysical Barriers Communications

The Town's Plan incorporates steps to ensure that communications with people with disabilities are as effective as communications with others. Effective communication means that whatever is written or spoken must be as clear and understandable to people with disabilities as it is for people who do not have disabilities.

The Town has no 9-1-1 or emergency communications services. Those services are provided by the county. However the Town will, upon request, assist residents with these services by contacting the county. If the following services are requested the Town will make every effort to provide them.

- Providing Braille or an audio recording of documents such as meeting minutes.
- Provide all documents in electronic format, or large print on request.
- Provide local interpreters as the need is identified.
- Provide visual recordings of any meetings on request by disabled such as council meeting.

Accommodation of Disabled Persons in Municipally Sponsored Programs:

The Town will require its partners who use Town services to comply with the provisions of Title II. Services include any private or public agency using Town property or services.

L. Sidewalk Maintenance Program

The Town will dedicate some Advisory Committee Funding to maintaining existing compliant sidewalks. Sidewalks that are not compliant are scheduled for reconstruction. When a compliant sidewalk and curb ramp is constructed it will be inspected on an annual basis for issues such as heaving, structural cracking or other issues that need to be addressed with maintenance, prior to reconstruction being needed.

M. Town Monitoring of New Permitted Development and Alterations

All new construction will be required to meet the ADA standards wherever the Town has jurisdiction:

- Public Sidewalks in front of private structures
- Private drives that connect to public sidewalks and roads
- Any parking on public streets or rights of way constructed as part of a private development.

N. Action Log

ACTION	ANTICIPATED COMPLETION DATE
COMPLETE INVENTORY OF PHYSICAL BARRIER IMPEDIMENTS	December 1, 2012
PLAN TO REMOVE PHYSICAL BARRIERS THAT ARE NOT A HARDSHIP	December 31, 2012
COMPLETE EVALUATION OF NON PHYSICAL BARRIERS	December 1, 2012
PLAN TO REMOVE NON-PHYSICAL BARRIERS THAT ARE NOT A HARDSHIP	December 31, 2012

V. FUNDING

A. Dedicated Funding

The Town anticipates creating dedicated transition funding and setting aside funding for barrier removal to both facilities and rights-of-ways. Since the Town will form an Advisory Committee consisting of the Town Council the fund will be called the **ADA Advisory Committee Fund**. The Town will use whatever funding is eligible for this purpose. Funding may come from the general fund, local roads and streets or one of the capital improvements funds or redevelopment funding.

B. Sidewalk Funding

The Town will form the **Advisory Committee Fund** and set aside \$500 each year for sidewalk work. This fund should accrue to \$2,000 before projects are undertaken to insure at least one complete project can be accomplished and that unknown or unforeseen conditions do not create a shortfall in funding available. The projects will be undertaken by priority determined by the rights of way inventory.

C. Leveraging Additional Funding Sources with Town Programs

The Town provides potable water, sewer service, storm water drainage and streets to Town residents. To maintain these services, there are times when construction projects are undertaken. During any of these projects the Town may disturb sidewalks or work in areas where the lack of sidewalks could be corrected with these other funds. In such a situation the Town could add, or improve existing sidewalks as part of the other project funding.

The Town will design only ADA accessible sidewalks and ramps in connection with any other projects. While none of these projects are currently planned, the annual inventory update will take any future plans into account.

D. Additional Funding

The Town anticipates that any one-time tax allotments such as riverboat funding, or the major moves funding would at least be partially used to accelerate the sidewalk improvements. The Town can apply for other funding sources for projects. There is no guarantee that the Town will receive any funding other than the **Advisory Committee Funds**. Sources that the Town can apply for include;

- Indiana Housing Finance and Community Development Authority
- Operation Round Up Funds from the local REMC, in eligible locations
- Local Community Foundation Funds

E. Annual Exhaustion of Advisory Committee Funds

The Town contemplates that the amount of the **Advisory Committee Fund** will be allowed to accrue until a minimum of \$2,000 is available for expenditure on a project at one time in order to maximize the amount of work that can be accomplished. Any funds not used in any given fiscal year(s) will be carried over into the succeeding year(s). Any expenditure(s) that exceed the amount of money in the Fund in a given fiscal year(s) will be credited in the succeeding fiscal year(s). In the event that the Town allocates funds in excess of the annual obligation to the **Advisory Committee Fund** in any given year, such excess funds will be credited toward its future obligations in each succeeding fiscal year. However, in no year shall the Town allocate less than \$500 to the **Advisory Committee Fund**. If the Transition Plan is terminated early based on a petition by the Town that it has otherwise met its financial obligations, this annual minimum allocation requirement shall also cease.

APPENDICES

APPENDIX A

2012 SELF-EVALUATION SURVEY PROGRAMS, SERVICE AND ACTIVITIES

2. Self-Evaluation Guide for Title II

(Citations from DOJ Title II Regulations & Technical Assistance Manual)

a) GENERAL ACCESSIBILITY (Items 1-26)

Have you reviewed your Department services as a public entity under Title II, Americans with Disabilities Act, Public Services Section 201(1) and 28 CFR Part 35 of Department of Justice Regulations to make certain that...

Sect 35.105(a)

1. ... you have conducted an updated self-evaluation that evaluates your current services, policies, and practices (for both employment and provision of benefits and services) and the effects thereof that do not or may not meet the requirements of the ADA Regulations and, to the extent modifications of any such services, policies and practices is required, proceed to make the modifications?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.105(b)

2. ... you have provided an opportunity to interested persons, including individuals with disabilities, to participate in the self-evaluation process by submitting comments?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.105(c)

3. ... departmental policy and procedures state that for at least three years following completion of the self-evaluation, you maintain on file and make available for public inspection:

- a) a list of the interested persons consulted;
- b) a description of areas examined and any problems identified; and
- c) a description of any modifications made?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.106

4. ... you have a means, in accessible formats for those with sensory impairments, for notifying and that you have notified applicants, participants, beneficiaries, unions and professional organizations with whom you have collective bargaining agreements and other interested persons about information regarding the provisions of the ADA and its applicability to your employment, services, programs, and activities and of your nondiscrimination policy?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.106

5. ... your written materials (publications) include a notice of nondiscrimination?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.107(a)

6. ... you designated at least one employee to coordinate your efforts to comply with and carry out your responsibilities under the ADA, including investigation of any complaints alleging noncompliance or any actions that would be prohibited by the ADA?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.107(a)

7. ...you have made available to all interested individuals the name, address and telephone number of the employee or employees designated to coordinate your ADA responsibilities?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.107

8. ...you have adopted and published grievance procedures that incorporate due process standards and providing for the prompt and equitable resolution of complaints of discrimination against an individual with a disability, including job applicants, employees, customers, and visitors?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.130(b)(1)(I)-(IV)

9. ... nondiscriminatory treatment is given directly or through contractual licensing or other arrangements to people with disabilities in the full and equal enjoyment of aids, benefits, or services that is equal to and as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as that afforded to other individuals and that they are not provided differently or separately unless such action is necessary to ensure that services are as effective as those provided to others?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.130(b)(1)(V)

10. ... you do not provide significant assistance to anyone that discriminates on the basis of disability in providing any aid, benefit, or service to beneficiaries of your public program?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.130(b)(1)(VI)

11. ... you have made sure that individuals with disabilities are allowed the opportunity to participate as members of your planning or advisory boards?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.130(b)(2)

12. ...even if separate or different programs or activities are provided for individuals with disabilities, are they allowed the opportunity to participate in those that are not separate or different if they so choose?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.130(b)(3)

13. ...you utilize, directly and/or through contractual or other arrangements, standards, criteria, or methods of admission that do not:

- a) have the effect of subjecting qualified individuals with disabilities to discrimination on the basis of disability;
- b) have the purpose or effect of defeating or substantially impairing accomplishment of the objectives of the public entity's program with respect to individuals with disabilities; or
- c) perpetuate the discrimination of another public entity if you both are subject to common administrative control or are agencies of the State?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.130(b)(4)

14. ... in your process for determining the site or location of a facility, do you make selections that have the purpose and effect of accomplishing the objectives of the service, program, or activity for individuals with disabilities?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.130(b)(5)

15. ... in your process for selection of procurement contractors, do you use selection criteria that do not subject qualified individuals with disabilities to discrimination?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.130(b)(6)

16. ... you administer licensing and certification programs in a manner that allows qualified individuals with disabilities full and equal access, and to the extent that you establish requirements for the programs or activities of licensees, or certified entities that such requirements ensure full and equal access for qualified individuals with disabilities to such programs or activities?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.130(b)(7)

17. ... you make reasonable modifications to policies, practices or procedures, when such modifications are necessary to offer goods or services, etc., to individuals with disabilities unless doing so would fundamentally alter the goods or services, etc.?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.130(b)(8)

18. ... you keep from imposing eligibility criteria that screens out individuals with disabilities (unless such criteria can be shown to be necessary for the provision of the goods, services, etc. being offered)?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.130(d)

19. ... you administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities (where possible, the same setting offered to others)?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.130(e) (1)

20. ... it is true that you do not require an individual with a disability to accept an accommodation, aid, service, opportunity, or benefit, designed to provide the individual with an equal opportunity to participate, which such individual chooses not to accept?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.130(e)(2)

21. ... it is true that not withstanding Section 35.130(e)(1) and question number 20 above, you do not allow the representative or guardian of an individual with a disability autonomous authority to decline food, water, medical treatment, or medical services for that individual?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.130(f)

22. ... it is true that you do not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of measures, such as the provision of auxiliary aids or program accessibility, that are required to provide that individual or group with nondiscriminatory treatment?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.130(g)

23. ... people with friends, associates or relatives of people with a disability are provided goods, services, facilities, privileges, advantages, accommodations, and other opportunities on a nondiscriminatory basis?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.131

24. ... you serve and provide equal access to otherwise qualified individuals who are not engaging in current illegal use of drugs?

YES		NO	
------------	--	-----------	--

EXPLANATION OR DETAILS

Sect 35.133

25. ... you maintain in operable working conditions those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities including snow removal from pathways of travel and ramped entrances?

YES		NO	
------------	--	-----------	--

EXPLANATION OR DETAILS

Sect 35.134 and Sect 1630.12 for employment under Part I

26. ... it is true that you do not, nor do those you do business with, discriminate against, coerce, intimidate, threaten, or interfere with any individual because that individual has opposed any act or practice made unlawful by the ADA, or because that individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the ADA, or because that individual exercised, enjoyed or aided or encouraged any other individual in the exercise or enjoyment of any right granted or protected by the ADA?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

b) PROGRAM ACCESSIBILITY (Items 27-51)

Sect 35.150

27. ... audits of the agency's facilities have been completed?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.150 (b)

28. ... a plan for program modifications has been developed that will effectively compensate for each facility barrier until the facility can be made accessible?

A public entity may comply with the requirements of this section through such means as redesign of equipment, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities, use of accessible rolling stock or other conveyances, or any other methods that result in making its services, programs or activities readily accessible to and usable by individuals with disabilities. (reference number 6 of the transition plan)

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.150 (b)

29. ... program modifications been attached to the facility audit/transition plan? (Reference number 6 of the transition plan)

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.150(a)

30. ... you operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities?

{This does not: (1) Necessarily require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities; (2) require a public entity to take any action that would threaten or destroy the historic significance of an historic property; or (3) require a public entity to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. The public entity may comply with the requirements of this section through such means as redesign of equipment, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities, use of accessible rolling stock or other conveyances, or any other methods that result in making its services, programs, or activities readily accessible to and usable by individuals with disabilities. The public entity is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section. The public entity in making alterations to existing buildings, shall meet the accessibility requirements of ADAAG. The public entity shall give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate.}

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.150(a)

31. ... if an action called for in question number 31 above would result in a fundamental alteration in the nature of a service, program, or activity, or in undue financial and administrative burdens, do you take any other action that will not result in such an alteration or such burdens but will nevertheless ensure that individuals with disabilities receive the benefits or services provided by your public entity?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.150(d)(1)

32. ... in the event that structural changes to facilities will be undertaken to achieve program accessibility, have you developed and posted a transition plan complete with an interim program accessibility plan setting forth the steps necessary to complete such changes?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.150(c)

33. ... where structural changes in facilities are planned to comply with the obligations for program access, were such changes made by January 26, 1995, or in any event as expeditiously as possible?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.150(d)(1)

34. ... you provide an opportunity to interested individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments and a copy of the transition plan is made available for public inspection? (See Part IV **Information and Assistance**)

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.150(d)(3)

35. ... your transition plan, at the minimum: (i) identifies physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities; (ii) describes in detail the methods that will be used to make the facilities accessible; (iii) specifies the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identifies steps that will be taken during each year of the transition period; and (iv) indicates the official responsible for implementation of the plan?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.150(b)(2)

36. ...in meeting the requirements of 35.150(a) in historic preservation programs, do you give priority to methods that provide physical access to individuals with disabilities?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.150(b)(2)

37. ...in cases where a physical alteration to an historic property is not required because the action would threaten or destroy the historic significance, or would result in a fundamental alteration in the nature of a service, program or activity, or in undue financial and administrative burdens, alternative methods of achieving program accessibility include: (i) using audio-visual materials and devices to depict those portions of an historic property that cannot otherwise be made accessible; (ii) assigning persons to guide individuals with disabilities into or through portions of historic properties that cannot otherwise be made accessible; or (iii) adopting other innovative methods and you adopt these alternatives where possible?

YES		NO	
------------	--	-----------	--

EXPLANATION OR DETAILS

Sect 35.150(d)(2)

38. ... if your state agency has responsibility or authority over streets, roads, or walkway, your transition plan includes a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs that gives priority to walkways serving entities covered by the ADA, including state and local government offices and facilities, transportation, places of public accommodations, and employers, followed by walkways serving other areas?

YES		NO	
------------	--	-----------	--

EXPLANATION OR DETAILS

Sect 35.151(a)

39. ... each facility or part of a facility constructed by, on behalf of, or for the use of a public entity are to be designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by individuals with disabilities, if the construction was commenced after January 26, 1992 {Design and construction in conformance with the Americans with Disabilities Act Accessibility Guidelines (ADAAG)[Appendix A to 28 CFR part 36] } shall be deemed to comply with the requirements of this section?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.151(d)(1)

40. ... alterations to historic properties comply, to the maximum extent feasible, with Section 4.1.7 of ADAAG?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.(151)(d)(2)

41. ...if it is not feasible to provide physical access to an historic property in a manner that will not threaten or destroy the historic significance of the building or facility, you have provided alternative methods of access pursuant to the requirements of 35.150?

YES		NO	
------------	--	-----------	--

EXPLANATION OR DETAILS

c) COMMUNICATIONS ACCESSIBILITY (Items 42-48)

Sect 35.151(e)(1)

42. ... newly constructed or altered streets, roads, and highways contain curb ramps or other sloped areas at any intersection having curbs or other barriers to entry from a street level pedestrian walkway?

YES		NO	
------------	--	-----------	--

EXPLANATION OR DETAILS

Sect 35.151(e)(2)

43. ... newly constructed or altered street level pedestrian walkways contain curb ramps or other sloped area at intersections to streets, roads, or highways?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.160(a)

44. ... you have taken appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.160(b)(1)

45. ... you have furnished appropriate auxiliary aids and services (see Part Two Title II Definitions) 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 your public entity?

YES		NO	
------------	--	-----------	--

EXPLANATION OR DETAILS

Sect 35.160(2)

46. ... in determining what type of auxiliary aid and service is necessary, have you given primary consideration to the requests of the individual with disabilities?

YES		NO	
------------	--	-----------	--

EXPLANATION OR DETAILS

Sect 35.161

47. ... you have taken steps to ensure that where you communicate by telephone with applicants and beneficiaries, TDD's or equally effective telecommunication systems are used to communicate with individuals with impaired hearing or speech?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.162

48. ... telephone emergency services, including 911 services, are provided to ensure direct access to individuals who use TDD's and computer modems?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.163(a)

49. ... you ensure interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Sect 35.163(b)

50. ...you provide signage at all inaccessible entrances to each of your facilities, directing users to an accessible entrance or to a location at which they can obtain information about accessible facilities and do you ensure that the international symbol for accessibility is used at each accessible entrance of a facility?

YES		NO	
-----	--	----	--

EXPLANATION OR DETAILS

Checklist Evaluator

Date

ADA Coordinator

Date

1. PART III - A "Quick Look" Checklist for Accessibility

This checklist is designed as a tool in a quick appraisal of potential problem areas for accessibility. State and local government agencies can use this checklist to make sure that facilities audits have found all problem areas. Completion of these items **WILL NOT** achieve compliance with ADA or state and local barrier-free design standards. The checklist will however, identify facility barriers which deny individuals with disabilities an opportunity to participate in and benefit from program services, and activities of a state agency.

For a more comprehensive listing of accessibility requirements see

- The Architectural and Transportation Barriers Compliance Board Checklist
<http://www.access-board.gov/adaag/checklist/a16.html>
- DBTAC-NW Accessibility Checklist
http://www.dbtacnorthwest.org/public/site/files/Checklist_FullPage_IHDI_MSPub2003_DBTAC.pdf

ITEM TO BE PERFORMED

Building Access

- | | |
|--|------------------|
| 1. Are 96" wide parking spaces designated with a 60" aisle? | YES ____ NO ____ |
| 2. Are parking spaces near main building entrance? | YES ____ NO ____ |
| 3. Is there a "drop off" zone at building entrance? | YES ____ NO ____ |
| 4. Is the gradient from parking to building entrance 1:12 or less? | YES ____ NO ____ |
| 5. Is the entrance doorway at least 32 inches? | YES ____ NO ____ |
| 6. Is door handle (lever handles) easy to grasp? | YES ____ NO ____ |
| 7. Is door easy to open (less than 8 lbs. pressure)? | YES ____ NO ____ |
| 8. Are other than revolving doors available? | YES ____ NO ____ |

Building Corridors

- | | |
|--|------------------|
| 1. Is path of travel free of obstruction & wide enough for a wheelchair? | YES ____ NO ____ |
| 2. Is floor surface firm, level and not slippery? | YES ____ NO ____ |

TOWN OF CAMDEN

3. Do obstacles (phone, fountains) protrude no more than 4 inches? YES____NO____
4. Are the elevator controls low enough (54") to be reached from a wheelchair? YES____NO____
5. Are elevator markings in Braille and raised letters the blind? YES____NO____
6. Does elevator provide audible signals for the blind? YES____NO____
7. Does elevator interior provide a turning area of 51" for wheelchairs? YES____NO____

ITEM TO BE PERFORMED

Restrooms

1. Are restrooms near building entrance/personnel? YES____NO____
2. Do doors have lever handles? YES____NO____
3. Are doors at least 32" wide? YES____NO____
4. Is restroom large enough for wheelchair turnaround (60" minimum)? YES____NO____
5. Are stall doors at least 32" wide? YES____NO____
6. Are grab bars provided in toilet stalls? YES____NO____
7. Are sinks & counters 30" high with room for a wheelchair to roll under? YES____NO____
8. Are sink handles easily reached and used? YES____NO____
9. Are soap dispensers, towels, no more than 48" from floor? YES____NO____

Personnel Office

1. Are doors at least 32" wide? YES____NO____
2. Is the door easy to open? YES____NO____
3. Is the threshold no more than 1/2" high? YES____NO____
4. Is the path of travel between desks, tables wide enough for wheelchairs? YES____NO____

APPENDIX B

TOWN EMPLOYMENT POLICIES

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

SCOPE: This policy applies to all employees of the Town, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The Town is committed to providing equal employment opportunities to all individuals. Therefore, the Town will not discriminate in any employment practice on the basis of age, sex, race, creed, political or religious affiliation or opinion, color, national origin, marital status, military status, pregnancy, disability, sexual orientation or any other protected status under applicable law.

GUIDELINES:

1. **What are equal employment opportunities?**

An equal opportunity employer is one that complies with the various anti-discrimination laws by making employment decisions based on job related qualifications rather than an individual's membership in a protected class. Equal employment opportunity does not require an employer to give preferential treatment to protected groups. Instead, the various federal and state laws designed to protect certain classes of individuals from discrimination generally requires employers to provide similar treatment to similarly situated individuals.

2. **What is an employment practice?**

The term employment practice includes all terms, conditions and privileges of employment. For example, the term includes but is not limited to recruitment, hiring, compensation, benefits, promotion, layoff, performance evaluation, discipline, and termination of employment.

3. **Does the Town encourage diversity in employment?**

Yes. The Town conducts recruitment and selection efforts which encourage qualified, diverse candidates to apply for employment with the Town.

4. **What should an employee do if they feel they have received discriminatory treatment related to employment practices?**

Employees should report the situation as soon as possible. The report should be made to any supervisor or manager, or the Town Council President. The Town will review the circumstances of the incident, gather pertinent information and/or perform an appropriate investigation, and develop a plan for protecting the workplace from any discriminatory treatment.

DISABILITY ACCOMMODATION

SCOPE: This policy applies to all employees of the Town, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

POLICY: The Town is committed to providing a work environment free from discrimination on the basis of disability and provides reasonable accommodations to all qualified applicants and employees with disabilities.

GUIDELINES:

1. Who is a qualified individual with disability?

A qualified individual with a disability, as defined under state and federal disability discrimination law, is a job applicant or employee who is “qualified” for a job and has a “disability”. Qualified means that the individual meets all necessary requirements for his/her job (such as educational background, job experience, appropriate licensing, etc) and he/she is able to perform the essential functions of the job with or without reasonable accommodation.

2. What is disability?

The definition of a disability, as defined under either the state or federal law, is complex. Any questions about what may be defined as a disability should be referred to the town’s legal council, but in general a disability is defined as follows:

Disability under the Americans with Disabilities Act (ADA) means:

- 1) The individual has a physical or mental impairment and the impairment substantially limits one or more of the individual’s major life activities (i.e. ability to read or walk)
- 2) Has a record of such impairment or;
- 3) Is regarded as having such an impairment

Disability under the Indiana Law Against Discrimination (ILAD) means that the individual has a sensory, mental or physical impairment that is medically cognizable or diagnosable, or exists as a record or history, or is perceived to exist, whether or not it exists in fact.

3. What does it mean to discriminate?

To discriminate means to treat someone differently in employment practices on account of his or her disability. Employment practices include, but are not limited to, recruitment, hiring, compensation, benefits, training, promotion, demotion, transfers, layoffs, termination of employment, and any other terms, conditions and privileges of employment.

4. What is a “reasonable accommodation”?

A reasonable accommodation may be provided for a qualified applicant or employee with disability who is unable to perform essential job functions. A “reasonable accommodation” is any change, modification or adjustment to the manner in which a job or job task is normally performed which enables an employee with disability to perform the essential functions of the job.

5. Can an applicant or employee request a reasonable accommodation?

Yes. Any applicant or employee who believes that he or she needs a reasonable accommodation because of a disability should submit a request for an accommodation to his/her immediate supervisor or the Town Council President either in writing or in person. The Town will then engage in an interactive process with applicant or employee to determine whether a reasonable accommodation should provide.

6. What will the Town do with information obtained during a reasonable accommodation analysis?

Any information obtained during the analysis of whether a reasonable accommodation should be provided to an applicant or employee will be treated as confidential and will be kept in locked medical files and will be shared only with the employee’s written authorization or on a need to know basis.

APPENDIX C

NOTICE OF PROGRAM & SERVICE ACCESSIBILITY

All programs, services and activities offered by the Town, when viewed in their entirety, shall be readily accessible to individuals with disabilities, in accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973.

Employment: The Town 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: Upon request, the Town will provide appropriate aids and services for qualified people with disabilities so they can participate equally in the Town's programs, services, and activities. This includes providing qualified sign language interpreters, documents in Braille, TTY/Relay telephone systems, and other ways of making information accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The Town will make all reasonable modifications to ensure that people with disabilities have an equal opportunity to enjoy Town programs, services, and activities. The Town will not charge individuals with disability or any group of individuals with disabilities to cover the cost of providing materials in alternate formats or for providing reasonable accommodations. The ADA does not require the Town to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Make a Request: Anyone who wishes to request materials in alternate formats or other accommodations in order to participate in a Town program, service, or activity, should contact the responsible department or service provider as soon as possible, but no later than 48 hours before a scheduled event.

Complaints that a Town program, service, or activity is not accessible to persons with disabilities should be directed to the ADA coordinator listed on page 1.

APPENDIX D

SECTION 504 EMPLOYEE INFORMATION & GUIDELINES

Employee Information and Guidelines

Any Town departments or programs receiving federal funding must comply with Section 504 of the Rehabilitation Act of 1973, in addition to Title II of the Americans with Disabilities Act of 1990. The two laws are similar in content and aim, which is to ensure that people with disabilities are given equal access to public facilities, programs, services and activities.

Section 504, however, applies additional requirements to any organization, agency or program that receives federal funding. This document will explain what these requirements are and how to fulfill them.

24 CFR Part 8 of Section 504 states;

“No otherwise qualified individual with a disability in the United States...shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program, service or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service.”

Section 504 regulations define “recipient” as any public or private agency, institution, organization or other entity, or any person, to which federal financial assistance is extended for any program or activity, either directly or through another recipient.

Section 504 covers all programs, services and activities of any Town department or program that received federal financial assistance, including:

- Outreach and public contact, including contact with programs applicants and participants
- Eligibility criteria
- Application process
- Admission to a program
- Tenancy, including eviction
- Service delivery
- Employment policies and practices

Actions Prohibited by Section 504

- Denying a qualified individual with disabilities the opportunity to participate in, or, benefit from, the housing, aid, benefit or service.
- Failing to afford a qualified individual with disabilities the opportunity for equal participation and benefit.
- Failing to provide a qualified individual with disabilities a program or service that affords the same opportunity to benefit as that afforded others.
- Providing different or separate housing, aid, benefits or services on the basis of disability unless doing so is necessary to provide housing or benefits that are as effective as that provided to persons without disabilities.
- Providing significant assistance to an agency, organization or person that discriminates on the basis of disability in any aspect of a federally funded activity.

- Denying a qualified individual with disabilities the opportunity to participate as a member of a planning or advisory board associated with the federally funded department or program.
- Providing programs or services to qualified individuals with disabilities in settings that are unnecessarily separate, segregated or restricted.

Town Departments or Programs Receiving Federal Funding Shall:

- Take steps to ensure effective communication with applicants, beneficiaries and members of the public.
- Take steps to ensure that employment activities for federally funded or supported jobs do not discriminate on the basis of disability.
- Ensure all non-housing programs are operated in a manner that does not discriminate on the basis of disability, and that new construction and alterations to non-housing facilities are made accessible in accordance with federal, state and local standards.
- Provide reasonable accommodations necessary for a person with a disability to use or participate in the program, service or activity; unless the recipient can demonstrate that the accommodation will result in undue financial or administrative burden or a fundamental alteration in the nature of the program, service or activity. Reasonable accommodations include, but are not limited to, modifications to buildings or other facilities, and may also include providing auxiliary aids, such as readers, interpreters and materials in alternate formats.
- Pay for reasonable accommodations needed by an individual with disabilities unless providing that accommodation would be an undue financial or administrative burden or would fundamentally alter the program.
- Ensure that all new construction is readily accessible to and usable by people with disabilities, and meets the requirements of applicable accessibility standards. This could include an accessibility checklist that plan reviewers, designers or construction inspectors must fill out before and after construction.
- Ensure that any improvements made to existing facilities or buildings are readily accessible to and usable by people with disabilities, and meets the requirements of applicable accessibility standards.
- Designate a Section 504 Coordinator (if they have 15 or more employees) who will ensure the federally funded programs, services or activities meet the requirements of Section 504, adopt a grievance procedure to effect due process standards and prompt and equitable resolutions of complaints.
- Notify participants, beneficiaries, applicants and employees of their nondiscrimination provisions if they have 15 or more employees (i.e. Notice of Program Statement on web pages or application materials).
- Maintain records and reports of efforts to meet the requirements of Section 504, and keep these records on file so they are available if a complaint is filed or if a federal funding agency conducts a compliance review.

The Section 504 Coordinator

Any Town department or division with 15 or more employees that receives federal funding must designate a Section 504 Coordinator from amongst its staff. This person should be directly involved with the program or activity that receives the federal funding, and have the authority to recommend and implement changes to the way the program or activity is operated or administered, as needed.

Qualifying Town departments or divisions shall provide the name and contact information of their Section 504 Coordinator to the Town's ADA Coordinator, along with a short description of their federally funded program or activities, within 30 days of receipt of federal funding, or within 30 days of reviewing these guidelines.

Section 504 Coordinator Responsibilities

- Assure that respective departments comply with all grant requirements by developing and implementing appropriate monitoring and review process.
- Create complaint procedures and ensure that they are communicated to the public, employees and service recipients.
- Ensure that information about the program or service accessibility is provided to all participants, beneficiaries, applicants and employees (Notice of Program Accessibility).
- Assure that sub-recipients comply with all grant requirements and that sub-recipients have compliant and compliance procedures of their own in place.
- Investigate complaints related to their department's federally-funded programs or services, as well as complaints filed against sub-recipients, consultants and contractors.
- Serve as the department/program liaison with granting agencies on compliance issues, including on-site compliance monitoring activities.
- Work with the Town ADA Coordinator as needed when a grant requires ADA compliance.
- Maintain all related files and reports.

Town ADA Coordinator Responsibilities

- Assist individual department or program Section 504 Coordinators with ADA compliance issues relative to the requirements of a federal grant or funding agency.
- Direct complaints and inquiries regarding federally funded programs or services to the appropriate Town department.
- Assist Section 504 Coordinators with complaints and investigations as needed
- Prepare ADA accessibility surveys and materials for Section 504 inspections.
- Serve as a resource on ADA issues.

Contractor Assurance of Compliance

Contractors, sub-contractors and other entities participating in Section 504 programs will be required to show compliance with the ADA and Section 504 regulations. The Town is required to provide contractors with assurance of compliance documentation, including:

- General information about Section 504 and the ADA
- ADA self-evaluation questionnaire
- Checklist for readily achievable barrier removal
- Assurance of compliance form
- Corrective action plan
- Notice to program applicants

Notice to Participants and Applicants

Where possible, Section 504 Coordinators will distribute and post a notice to applicants and participants, that the program, service or activity is federally funded and must meet the mandates of Section 504 and the ADA. This notice may be posted on the Web pages/websites for the department or programs, and/or on informational and application materials for the program or service.

Complaints

Persons with disabilities who believe they have been subjected to discrimination may file a complaint with the Town department that manages or administers the federally-funded program, the Town ADA Coordinator, the U.S. Department of Justice and/or the U.S. Department of Housing and Urban Development (when discrimination in housing is alleged).

APPENDIX E

RESOLUTION OF THE TOWN COUNCIL ADOPTING TRANSITION PLAN

**A RESOLUTION OF THE COUNCIL
OF THE TOWN OF CAMDEN, INDIANA
ADOPTING THE AMERICANS WITH DISABILITIES ACT (ADA)
TRANSITION PLAN**

WHEREAS, the Federal Government enacted the Americans with Disabilities Act of 1990 (“ADA”) to prevent discrimination of the physically and mentally disabled relating to employment and access to public facilities; and

WHEREAS, the Town of Camden, Indiana, remains committed to the ADA and the elimination of barriers to public facilities; and

WHEREAS, in compliance with Title II of the ADA, the Town of Camden, Indiana, shall name an ADA Coordinator, and

WHEREAS, in compliance with Title II of the ADA, the Town of Camden, Indiana, shall adopt a grievance procedure for resolving complaints alleging violation of Title II of the ADA; and

WHEREAS, in compliance with Title II of the ADA, the Town of Camden, Indiana, shall publish notice to the public regarding the ADA; and

WHEREAS, in compliance with Title II of the ADA, the Town of Camden, Indiana, shall post the ADA coordinator’s name, office address, and telephone number along with the ADA Notice and ADA grievance procedure on its website.

NOW THEREFORE BE IT HEREBY RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CAMDEN, CARROLL COUNTY, INDIANA THAT:

1. The Clerk- Treasurer is responsible for the overall compliance with the ADA.
2. The Utility Superintendent is designated as the Co-ADA coordinator for the Town of Camden and is responsible for the Town’s Compliance with the ADA.
3. The notice under the ADA, a copy of which is included In the Facilities Transition Plan, and as revised from time to time is adopted as the Town of Camden’s Notice under the ADA.
4. The Town of Camden’s Grievance Procedure under the Americans with Disabilities Act, a copy of which is included in the Facilities Transition Plan, and as revised from time to time is adopted as the grievance procedure for addressing complaints alleging

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discrimination on the basis of disability in the provision of service activities programs or benefits by the Town of Camden, Indiana.

5. In compliance with Federal and State laws as set forth above, the Town Council resolves to post the required information regarding the ADA coordinator notice under the ADA and Town of Camden, Indiana Grievance Procedure under the ADA on its website and at such other locations as may be determined from time to time.

ADOPTEDBY THE TOWN COUNCIL OF THE TOWN OF CAMDEN, CARROLL COUNTY, INDIANA on this the ____ day of _____, 2012

Richard Fite, Council President

Kandance Funk, Council Member

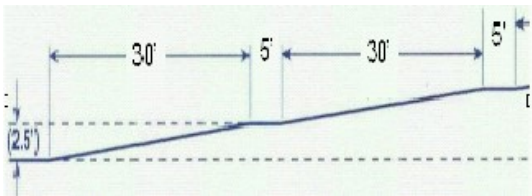
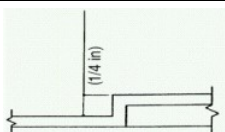
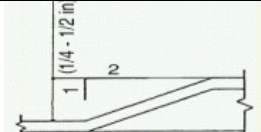
Jeff Sieber, Council Member

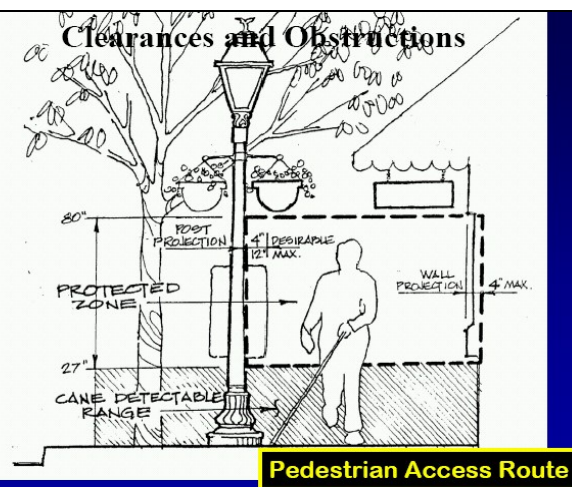

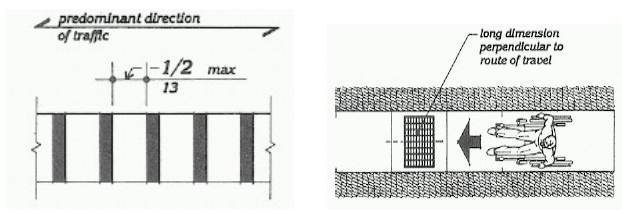
ATTEST:

Patricia Casserly, Clerk-Treasurer

APPENDIX F

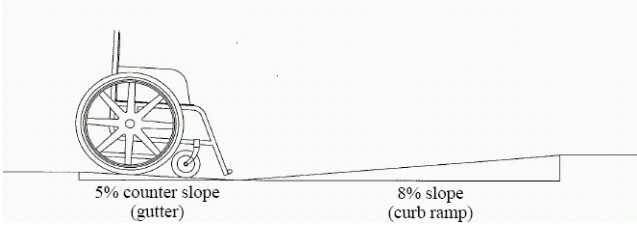
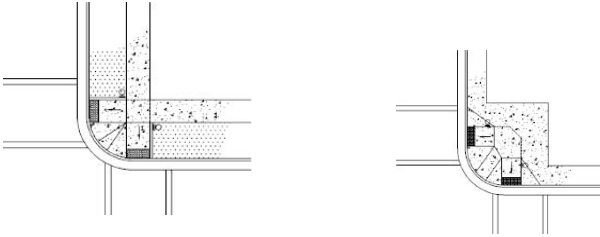
SIDEWALK INSPECTION DETAILS

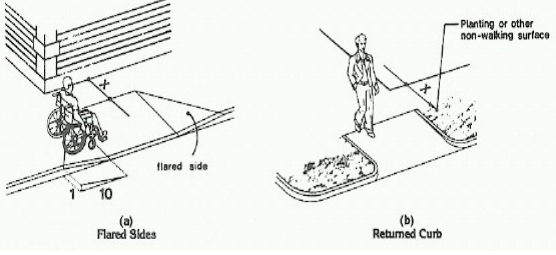
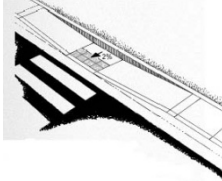
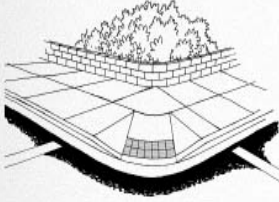
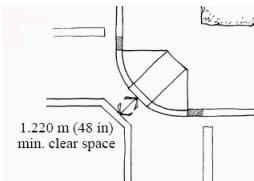
SIDEWALKS	
Figures/Examples	Requirements ¹
	<ul style="list-style-type: none"> Sidewalks are 5' or greater in width. Exception, existing sidewalks or where physical restraints exist, sidewalks may be less than 5' wide, but must be at minimum 3' or greater in width with 5' x 5' level landings provided no more than 200' apart. (A level landing is defined as a landing with no cross or running slopes greater than 2.0%. Driveways or parking lots may be considered as landings if they meet the requirements of a landing.)
	<ul style="list-style-type: none"> Sidewalk cross slopes are 2.0% or less.
<p>For example, a segment with the maximum allowed running slope of 8.33% would require 5' x 5' landing every 30'.</p> 	<ul style="list-style-type: none"> Sidewalk running slopes meet any of the following conditions: <ul style="list-style-type: none"> The sidewalk is at the same grade as the roadway, regardless how steep the roadway grade is. If the sidewalk is at a different grade than the roadway, yet the running slope of the sidewalk is not greater than 5%. If the sidewalk running slope is at a different grade than the roadway and the running slope is greater than 5%, then the sidewalk will be considered a ramp and shall meet the following requirements: <ul style="list-style-type: none"> Maximum grade is 8.33% for any segment. Maximum rise for a segment is 30". 5' x 5' landings are located between each segment.
 	<ul style="list-style-type: none"> Surface Level Criteria - There are no height differentials with a lip greater than 1/4" in height. Exceptions, a height differential between 1/4" and 1/2" is acceptable if it is beveled at a 2:1 slope, or a height differential greater than 1/2" is acceptable if it is ramped with a slope of 8.33% or less.
	<ul style="list-style-type: none"> All utility poles, light posts, traffic posts, fire hydrants, and other manmade vertical

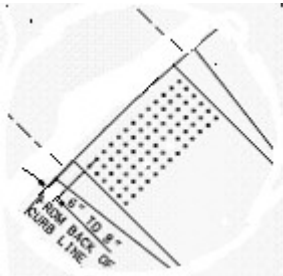
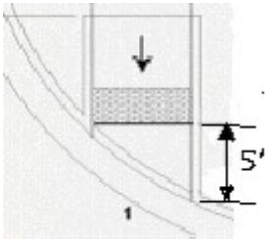
	<p>appurtenances are located outside of the sidewalk path. If right of way prevents relocation of an appurtenance, the pathway width is at minimum 32" wide and the length of the restricted pathway is no more than 2'.</p>
	<ul style="list-style-type: none"> Utility covers, such as manholes and water meters, have a slip resistant top, as much as possible, and meet changes in level criteria.
	<ul style="list-style-type: none"> Lift holes for manhole/utility covers do not have an opening greater than ½". Plugging of holes greater than ½" with a material approved by the engineer is acceptable as long as it is flush with the cover surface.
<p>Clearances and Obstructions</p>  <p>Pedestrian Access Route</p>	<ul style="list-style-type: none"> There are no horizontal obstructions within the sidewalk pathway. See adjacent figure for examples of what is considered acceptable, specifically: <ul style="list-style-type: none"> Wall projections or signs or other objects attached to posts do not exceed 4" into the pedestrian path between 27" and 80" above the ground. Exception, signs or other objects attached to posts may project into the pedestrian pathway up to 12", but is not preferred and should be limited to 4" where possible.
 <p>Wrong Installation</p> 	<ul style="list-style-type: none"> If gratings are located in the sidewalk or other walkways paths, the spacing of the gratings is not greater than ½ in. (13 mm) wide in one direction. Gratings with elongated openings are installed so that the long dimension is perpendicular to the dominant direction of travel.
	<p>All entrances within the project limits are ADA compliant.</p>






- A level pedestrian access route (walkway) is provided across commercial and residential entrances, meeting the following criteria:
 - The walkway is at minimum 3' wide.
 - Cross slope of walkway is 2 percent or less.
 - Walkway is at the same grade as the adjacent roadway.
 - The walkway does not have to be marked, but provides a straight line between the adjoining sidewalks or ramps.
 - There is not an abrupt transition from the driveway to the roadway for vehicles, i.e., vehicles will not bottom out when driving over the transition.

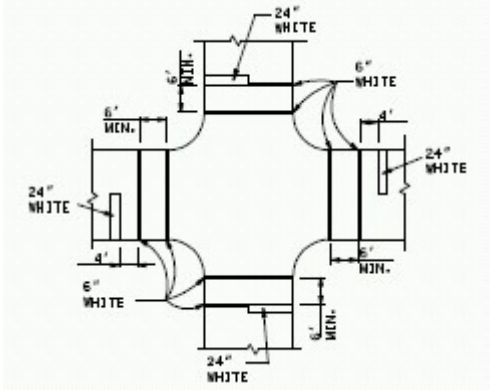
RAMPS	
Figures/Examples	Requirements ¹
 <p>5% counter slope (gutter)</p> <p>8% slope (curb ramp)</p>	<ul style="list-style-type: none"> General requirements for all ramps are: <ul style="list-style-type: none"> Ramps are present where sidewalks exist. The ramp width is the same width as the sidewalk. The ramp is not less than 36" wide at the bottom. Cross slope of ramp is 2.0% or less. Running slope of ramp is 8.33% or less and oriented to path of travel. Exception, ramps being retrofitted into existing facilities where space limitations prohibit the use of a 8.33% slope or less may have slopes and rises as follows: <ul style="list-style-type: none"> A slope between 1:10 and 1:12 is allowed for a maximum rise of 6 inches (150 mm). A slope between 1:8 and 1:10 is allowed for a maximum rise of 3 inches (75 mm). A slope steeper than 1:8 is not allowed. Curb lip height is ½" or less. Street and ramp slope break is 13% or less. (See adjacent figure.) No drainage or silt problems within ramp or at gutter line at ramp exit. No design or maintenance obstructions within the ramp pathway.
 <p>Perpendicular Ramps</p>	<ul style="list-style-type: none"> Perpendicular ramps meet the following criteria: <ul style="list-style-type: none"> Have at minimum a level 5' x 5' landing (not more than 2% cross slope in any direction) at the top of the ramp. Exception, a top landing is not required if the ramp serves only one sidewalk and the ramp is aligned with the direction of travel of that sidewalk, i.e., no turning movement required for a person in a wheelchair to align with the running slope of the ramp. A landing is preferred, but may not be able to be constructed because of the steep grade of a sidewalk, making it technically infeasible to construct. For example, an existing sidewalk at a 7% grade

 <p>(a) Flared Sides</p> <p>(b) Returned Curb</p> <p>X = 4'</p> <p>Flared Sides in Pathway Flared Sides Not in Pathway</p>	<p>with a 6" curb height would require the beginning of a 5' x 5' landing to be installed at 35.7' back from the curb with a ramp at 8.33% running slope. This may be technically infeasible because of limited right of way and/or beyond the scope of the project.</p> <ul style="list-style-type: none"> - Flared sides with a slope of 10 percent maximum, measured parallel to the curb line, are provided where a pedestrian circulation path crosses the curb ramp. If the flared sides are not in the pathway, then there is no maximum slope and can be vertical curbs. (See adjacent figure for further explanation.)
	<ul style="list-style-type: none"> • Parallel ramps have at minimum a level 5' x 5' landing at the bottom of the ramp.
  <p>1.220 m (48 in) min. clear space</p>	<ul style="list-style-type: none"> • Diagonal ramps meet the following criteria: <ul style="list-style-type: none"> - Have at minimum a level 5' x 5' landing at the top and at minimum a 48" clear space at the bottom of the ramp. - If a crosswalk is present, the clear space is contained within the crosswalk. - If the flared sides are within the pedestrian pathway, the slope of the flares are 10% or less.

DETECTABLE WARNINGS (TRUNCATED DOMES)	
Figures/Examples	Requirements ¹
	<ul style="list-style-type: none"> Installed on all ramps at streets, signalized commercial entrances and railroad crossings.
	<ul style="list-style-type: none"> Not installed on ramps at residential, public or non-signalized commercial driveways.
 	<ul style="list-style-type: none"> The preferred location of the truncated dome surface area is 6"-8" from the face of the curb (gutter line). Exception, on large curb radii one edge of the detectable warnings may be placed at the face of the curb to minimize the distance that the other edge is from the face of the curb; however, neither corner of the detectable warning may be more than 5' from the face of the curb line.
	<ul style="list-style-type: none"> The truncated dome surface area is at minimum a 2' strip that extends the entire width of the ramp, excluding flared sides. Exception, the dome surface area may be stopped 2" from each side of the ramp to aid construction and to prevent the concrete from chipping at the edges.
	<ul style="list-style-type: none"> The truncated domes are aligned on a square grid in the direction of pedestrian travel or installed radial to the grade break.
	<ul style="list-style-type: none"> Detectable warnings are not stamped into concrete and are an ADA approved product.
	<ul style="list-style-type: none"> Detectable warnings contrast visually with the adjoining surface, either light-on-dark or dark-on-light (recommended bright red on concrete and bright yellow on asphalt).

CUT THROUGHS IN ISLANDS OR MEDIANS	
Figures/Examples	Requirements ¹
	<ul style="list-style-type: none"> The width of the cut through is at minimum 5' wide. Exception, narrower cut through of a minimum width of 3' are acceptable if there is a 5' x 5' passing area within the cut through.
	<ul style="list-style-type: none"> The cross slope is 2% or less. Exception, on steep grades this may not be possible, in which case, the cross slope shall not exceed the grade of the roadway.
	<ul style="list-style-type: none"> The cut through is oriented with the path of travel.
	<ul style="list-style-type: none"> Detectable warnings are installed on the surface of the cut through on each side, located 6"-8" back from the street. If the cut through $\leq 6'$ in length, then the detectable warnings cover the entire area.

ACCESSIBLE PEDESTRIAN SIGNALS (PUSHBUTTONS)	
Figures/Examples	Requirements ¹
	<ul style="list-style-type: none"> Pushbuttons are a minimum 2" across in one dimension, raised (not recessed), contrast visually with the housing or mounting, and have a maximum force of 5 pounds to activate operable parts. The control face of the pushbuttons is installed to face the intersection and parallel to the direction of the crosswalk it serves.
	<ul style="list-style-type: none"> The location of pushbuttons for new construction are within a longitudinal distance of 5' maximum from the crosswalk line, and 30" minimum to 10' maximum from the curb line (this measurement is taken from the center of the ramp). For audible pedestrian signal devices only, pushbuttons are a minimum 10' apart at crossings and a minimum 5' apart at islands or medians. This minimum distance may be waived for audible pushbuttons in medians and islands.
	<ul style="list-style-type: none"> Pushbuttons are located no higher than 42" from the ground and within 24" reach from a level paved landing with minimum dimensions of 30" x 48", and positioned for either forward or parallel approach to the pushbutton. For existing locations, pushbuttons at a height up to 48" and a reach of 25" are acceptable as long as other ADA accessibility criterion is met, i.e., pushbuttons are ADA compliant, level landing provided, within required distances from street and crosswalk.
	<ul style="list-style-type: none"> Where pushbuttons for the visually impaired are installed, tactile signs are to be provided that meet guidelines set forth in the EPG.

CROSSWALKS	
Figures/Examples	Requirements ¹
	<ul style="list-style-type: none">• Minimum width of the crosswalk is 6’.
	<ul style="list-style-type: none">• Crosswalk pavement marking is 6” white.
	<ul style="list-style-type: none">• Stop bar is at minimum 4’ from the crosswalk.

APPENDIX G

REQUEST FOR ACCOMMODATION FORM

Reporting Individual

Printed Name _____

Address _____

Town, State, Zip Code _____

Telephone Number(s) _____

E-Mail Address _____

Sidewalk Requiring Accommodation

Street _____

Cross Street _____

Street Address _____

Date of Incident or Discovery _____

Describe the reason for requiring the requested accommodation or sidewalk repair.

(Please feel free to use additional attachments as necessary)

Signature of Reporting Individual _____ Date _____

APPENDIX H

ADA GRIEVANCE FORM

GRIEVANCE FORM

Today's Date: _____

Complainant: _____

Address: _____

Town, State, Zip: _____

Telephone and E-mail: _____

Individual Discriminated Against: _____

Address: _____

Town, State, Zip: _____

Telephone and E-mail: _____

Alleged Violation: Date(s) of Occurrence: _____

Description of Violation and County Department Involved: _____

Requested Action by County to Correct Violation: _____

Has Complaint been Filed with State or Federal Agency: ___ Yes ___ No

Name of Agency: _____ Date Filed: _____

Contact Person: _____

Signature: _____

APPENDIX I

Annual & Monitoring Report Template

SIDEWALKS MADE COMPLIANT DURING THE YEAR

STREET	FROM	TO	SIDEWALK LOCATION				DEFICIENCY CORRECTED				NOTES:
							W=Width Deficiency, S= Cross Slope Deficiency, H= Hazard Present				
			N	S	E	W	N	S	E	W	

CURB RAMPS MADE COMPLIANT DURING THE YEAR

MAJOR STREET	CROSS STREET	RAMP PRESENT				DEFICIENCY CORRECTED				NOTES:
						D=Detectable Warning Deficiency, S= Slope Deficiency, H= Hazard or Ramp Construction Deficiency				
		NE	NW	SE	SW	NE	NW	SE	SW	

FACILITIES BARRIERS REMOVED DURING YEAR

FACILITY NAME	ADDRESS	DEFICIENCY CORRECTED

PROJECTS PLANNED FOR UPCOMING CALENDAR YEAR**SIDEWALKS**

STREET	FROM	TO	SIDEWALK LOCATION				DEFICIENCY TO BE CORRECTED				NOTES:
							W=Width Deficiency, S= Cross Slope Deficiency, H= Hazard Present				
			N	S	E	W	N	S	E	W	

CURB RAMPS

MAJOR STREET	CROSS STREET	RAMP PRESENT				DEFICIENCY TO BE CORRECTED				NOTES :
						D=Detectable Warning Deficiency, S= Slope Deficiency, H= Hazard or Ramp Construction Deficiency				
		NE	NW	SE	SW	NE	NW	SE	SW	

FACILITIES

FACILITY NAME	ADDRESS	DEFICIENCY TO BE CORRECTED

SUMMARY OF SERVICES PROVIDED TO PERSONS WITH DIASBILITIES

ALTERNATE PRINTED MATERIALS-

ALTERNATE TECHNOLOGY PROVIDED-

INTERPRETERS/SIGN LANGUAGE SERVICES PROVIDED-

OTHER SERVICE RELATED ITEMS PROVIDED-

REFERRALS TO OTHER AGENCIES-

COMPLAINTS RECEIVED OR ACCOMMOICATION REQUESTS

DESCRIPTION OF COMPLAINTS (attach copy of grievance form)

Number of complaints received_____

General Summary of types of complaints received:

DESCRIPTION OF ACCOMMODATION REQUESTED (attach copy of request form)

Number of requests for accommodations received_____

General Summary of types of accommodations requested:

LOCATION AND TYPE OF BARRIERS THAT CREATE AN UNDUE BURDEN, ARE TECHNICALLY OR PRACTICALLY INFEASIBLE TO REMOVE OR MODIFY

ADVISORY COMMITTEE FUND REPORT

Beginning Balance	
Amount Added to Fund	
Amount Spent from Fund	
Fund Balance beginning of year	

TYPE AND AMOUNT OF OUTSIDE FUNDS REQUESTED AND OR RECEIVED AND SOURCE

FUNDING SOURCE	AMOUNT REQUESTED	AMOUNT RECEIVED	USE OF FUNDS

COMMUNITY OUTREACH ACTIVITIES

DESCRIPTION OF ANY OUTREACH-

THIRD PARTY BARRIER REMOVAL AND SERVICES PROVIDED

PARTY PROVIDING SERVICES	SERVICES PROVIDED OR BARRIERS REMOVED	EVENT	DATE

LOCATION OF COMPLETED WORK COMPLIANCE INSPECTION

LOCATION OF COMPLETED WORK	TYPE OF WORK COMPLETED	IS WORK COMPLIANT AND NOTES: