



**CITY OF WASHINGTON, ILLINOIS**  
**Committee of the Whole Agenda Communication**

**Meeting Date:** September 14, 2020

**Prepared By:** Dennis Carr – City Engineer

**Agenda Item:** ADA Transition Plan 2020 Update

**Explanation:** The City is in need of an updated ADA Transition Plan. Any municipality over 50 employees is required by law to have an updated ADA Transition Plan. Along with the document itself, the municipality must also give the public time to give input on the document. This document is being brought forward to this Committee of the Whole meeting to begin the public input part of the plan.

An ADA Transition Plan requires a self-evaluation as well as a plan in place to bring things into compliance. As is laid out in the document, the self-evaluation has only just begun. We have begun evaluating curb ramps as they are the most visible to the public. We will also have to begin evaluations of the accessibility of city buildings as well.

The documented prioritization allows for transparency in project selection moving forward. The selection criteria is based on both locational needs as well as physical condition needs. This plan weighs both from 0-10 allowing there to be an even weighing of location versus physical needs.

**Fiscal Impact:** Future budgets will need to reflect intent to rectify non-compliance issues. Current self-evaluation has over 850 Ramps with a majority being non-compliant

**Action Requested:** None. Just informing council that we are moving forward to bring the city into compliance.



# **City of Washington**

## **ADA Transition Plan**

### **2020 Update**

#### **Public Rights of Way**

#### **And**

#### **Sidewalks**

# **Table of Contents**

I. Introduction	Page 3
II. Purpose	Page 3
III. Definitions	Page 3
IV. Program Responsibility	Page 4
V. Public Involvement	Page 4
VI. Grievance Procedure	Page 4
VII. Design Standards	Page 5
VIII. Five Titles of the ADA	Page 6
IX. Self-Evaluation	Page 6
X. Sidewalk Ramp Rating System	Page 7
XI. Criteria for Determining Barriers at City Facilities	Page 7
XII. Compliance Program	Page 8
XIII. Estimated Construction Cost	Page 8
XIV. Implementation Schedule	Page 8
XV. Accommodation Procedure	Page 9
XVI. ADA Resource References	Page 10
XVII. Appendices	
A. Request for Accommodation Sidewalk Ramp Repair	
B. Sidewalk Reimbursement Program	
C. ADA Grievance Form	

## **I. INTRODUCTION**

The City of Washington has an expansive pedestrian system that links neighborhoods, recreational resources, government facilities, multiuse paths, retail centers and business establishments. Pedestrian accessibility provides benefits not only for people with disabilities, but for the community at large. In an effort to continuously improve the pedestrian system this document was prepared in accordance with the Americans with Disabilities Act to serve as the Public Right-of-way Accessibility Transition Plan for the City of Washington.

## **II. PURPOSE**

This plan should serve to help the City of Washington build from its original ADA compliance plan from the initial inception of the ADA Act. This plan will help fulfill the requirements set forth in the Chapter 8 of the Bureau of Local Roads & Streets Administrative Policy.

It is intended to be in accordance with the guidelines of the Illinois Department of Transportation (IDOT), and the Americans with Disabilities Act (ADA). When the City of Washington's ADA Transition Plan is in conflict with the IDOT guidelines, IDOT guidelines shall take precedence.

The purpose of this transition plan is to:

- Designate officials responsible for implementation
- Solicit public input to increase awareness and effectiveness of the plan.
- Develop a rating system to establish prioritization.
- Conduct a self-assessment and inventory of needs.
- Incorporate new practices and procedures in the plan.
- Compliance attainment with IDOT ADA guidelines.
- Develop an implementation schedule for the plans.
- Develop and accommodation procedure.

## **III. DEFINITIONS**

For the purpose of this document, the terms defined in R105.5 of the Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way have the indicated meaning.

Acronyms:

ADA – American with Disabilities Act

CIP – Capital Improvement Plan

IDOT – Illinois Department of Transportation

LPA – Local Public Agency

MUTCD – Manual on Uniform Traffic Control Devices

ROW- Right of Way

PROWAG – Public Right of Way Accessibility Guidelines

#### **IV. PROGRAM RESPONSIBILITY**

Local Public Agencies (LPAs) must designate at least one responsible employee to coordinate ADA compliance for public rights of-way. This position must be familiar with the LPAs operation, be properly trained in ADA public-right of-way requirements, and be able to effectively communicate with governmental agencies, advocacy groups and the public. For the duration of the self- evaluation and Transition Plan schedule, the City of Washington has designated the ADA Coordinator to be the City Engineer. The City Engineer will coordinate all aspects of ADA compliance found within this Transition Plan Update. Any comments, additions or suggestions about this plan may be directed to the City Engineer as follows:

Dennis Carr, PE  
City of Washington  
301 Walnut  
Washington, IL 61571

#### **V. PUBLIC INVOLVEMENT**

The ADA Transition Plan will be placed on the City website for public review and comments. A copy of the plan can also be obtained by request to the ADA Compliance Officer or the City Clerk's office. Any resident may address their concerns or comments to the ADA Compliance Officer listed in the document.

#### **VI. GRIEVANCE PROCEDURE**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, and programs by the City of Washington. The grievance form can be found in appendix C. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request. The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to the city officials previously identified.

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or their designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or their designee will respond in writing, and where appropriate, in a format accessible to the complainant. The response will explain the position of the City of Washington and offer options for substantive resolution of the complaint. If the response by the ADA Coordinator or their designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the City Administrator. Within 15 calendar days after receipt of the appeal, the City Administrator will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Administrator will respond in writing, and, where appropriate, in a format accessible to

the complainant, with a final resolution of the complaint. All written complaints received by the ADA Coordinator or their designee, appeals to the City Administrator and responses from these offices will be retained by the City of Washington for at least three years.

## **VII. DESIGN STANDARDS**

The Department of Justice's revised regulations for Titles II and III of the Americans with Disabilities Act of 1990 (ADA) were published in the Federal Register on September 15, 2010. These regulations adopted revised, enforceable accessibility standards called the 2010 ADA Standards for Accessible Design, "2010 Standards." On March 15, 2012, compliance with the 2010 Standards was required for new construction and alterations under Titles II and III.

The Access Board is an independent federal agency established by section 502 of the Rehabilitation Act (29 U.S.C. 792).<sup>1</sup> The Access Board is responsible for developing accessibility guidelines for the design, construction, and alteration of facilities to ensure that they are readily accessible to and usable by individuals with disabilities. In 2011 the Access Board Proposed the Public Right of Way Accessibility Guidelines. The proposed guidelines are developed specifically for pedestrian facilities in the public right-of-way and address conditions and constraints that exist in the public right-of-way.

The Manual on Uniform Traffic Control Devices (MUTCD) is incorporated by reference in 23 Code of Federal Regulations (CFR), Part 655, Subpart F and shall be recognized as the national standard for all traffic control devices installed on any street, highway, bikeway, or private road open to public travel (see definition in Section 1A.13) in accordance with 23 U.S.C. 109(d) and 402(a). The policies and procedures of the Federal Highway Administration (FHWA) to obtain basic uniformity of traffic control devices shall be as described in 23 CFR 655, Subpart F.

The State of Illinois established Illinois Accessibility Code, which became effective April 24, 1997. This code provides the requirements for accessibility in Illinois.

Illinois Department of Transportation Bureau of Local Roads and Streets Manual and the FHWA have public right-of way accessibility design specifications and details, as well.

These manuals and details will apply to and govern all proposed improvements for ADA compliance

### **Illinois Department of Transportation Bureau of Local Roads and Streets Manual**

<u>Chapter</u>	<u>Title</u>
41-6	REQUIREMENTS FOR ACCESSIBLE PUBLIC RIGHTS-OF-WAY

## **ADA Standards for Accessible Design**

<u>Section</u>	<u>Title</u>
406	Curb Ramps
705	Detectable Warnings

### **VIII. FIVE TITLES OF THE ADA**

#### ***Title I - Equal Employment Opportunity for Individuals with Disabilities***

This title is designed to remove barriers that would deny qualified individuals with disabilities access to the same employment opportunities and benefits available to others without disabilities. Employers must reasonably accommodate the disabilities of qualified applicants or employees, unless an undue hardship would result.

#### ***Title II - Non-discrimination on the Basis of Disability in State and Local Government Services***

This title prohibits discrimination on the basis of disability by public entities. The public entity is required to provide access to programs, activities, and services provided by the state or local government, when viewed in their entirety.

#### ***Title III - Non-discrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities***

This title prohibits discrimination on the basis of disability by private entities in places of public accommodation. Examples include: hotels, restaurants, golf courses, private schools, day care centers, health center, etc.

#### ***Title IV – Telecommunications***

This title requires telephone companies to have developed interstate and intrastate telephone relay services in every state.

#### ***Title V – Miscellaneous provisions***

The final title contains a variety of provisions relating to the ADA as a whole, including its relationship to other laws and its impact on insurance providers and benefits.

### **IX. SELF-EVALUATION**

An element of ADA Title II compliance requires the City of Washington examine its services, policies, and practices and the effects thereof to determine whether there are barriers to participation by people with disabilities. For this Public Right-of-way Accessibility Transition Plan, this process includes the identification of existing and planned accessible paths of travel for public facilities and programs to facilitate prioritization.

For LPAs with responsibility or authority over streets, roads and walkways, the self-evaluation and Transition Plan must include curb ramps and other pedestrian facilities. Curb ramps, pedestrian signals, driveway crossings and other pedestrian facilities are to be reviewed for compliance with recent design standards. For example, specific items

for curb ramps that are to be reviewed include the presence of appropriate detectable warnings, slopes, and level landings.

The City of Washington Staff has begun an inventory survey. The City's Engineering Staff has begun to create a supplemental layer in the City's GIS database to inventory ADA ramps and their current condition. The database will also be utilized to prioritize and track ramp reconstruction activities.

## **X. SIDEWALK RAMP RATING SYSTEM**

Priorities can be set by addressing both the needs and physical conditions of the ramps.

From a needs perspective the following should be considered:

- Presence of a disabled population or specific complaints and/or requests from a disabled person or advocacy group (10 points)
- High volume of pedestrians, such as in the Business District, or near schools (8 points), public buildings, senior housing, libraries, or parks (6 points)
- Low volume pedestrian use areas such as residential subdivisions (2 points)

From a ramp condition perspective, the following should be considered:

- There is no ramp at a pedestrian crossing in an area with sidewalks (8 points).
- Where ramps are generally safe and in good condition but do not have detectable warnings. (3 point).
- Where ramps with detectable warnings exist but slopes and/or landings are not in compliance (1 point)

Each ramp location will be rated according to these criteria. Specific projects designed to replace ramps to correct deficiencies will address those rated numerically highest until budgeted funds are exhausted.

## **XI. CRITERIA FOR DETERMINING BARRIERS AT CITY FACILITIES**

To determine whether corrective action needs to be taken at city operated facilities such the following evaluation criteria has been established.

1. Can the program or service offered be provided at an alternative ADA accessible facility?
2. Is the facility currently in ADA compliance and has the facility undergone previous renovations to obtain past ADA compliance?
3. What is the current state of accessibility?
4. What are the costs of alternatives to physical barrier removal versus the cost of alternative corrective actions?



5. Is the physical barrier programmed for removal as part of the facility's annual ongoing maintenance?

#### **XI. COMPLIANCE PROGRAM**

Most if not all sidewalks and ramps on City of Washington Right of Way are there at the request of the municipality. The maintenance and replacement responsibility of those sidewalks belongs to the municipality. The City of Washington will work to correct deficiencies that are present after the self-evaluation is complete and going forward.

##### **Requirement to Act**

Any new development along a county road within or soon to be within the corporate limits of a municipality, shall have sidewalk installed along the County Right-of-Way. All new sidewalk shall conform to the current ADA standards and IDOT guidelines. Any existing sidewalk section that is being replaced in County Right-of-Way shall also meet current ADA standards and IDOT guidelines.

Should any new or existing sidewalk to be replaced have conditions that limit the ability it to meet the ADA requirements, the County Engineer may waive this requirement for the following reasons:

1. There are physical restraints on the site that will not allow the ADA standards to be fulfilled.
2. A waiver is requested by the municipality.
3. For other reasons, not listed here, that the County Engineer determines that fulfilling the ADA requirements is beyond reasonable accommodation.

#### **XIII. ESTIMATED CONSTRUCTION COST**

The estimated cost to correct the non-compliant sidewalk ramps identified in this transition plan to compliant status is:

**\$3,000 - \$4,000.00 per ramp location**

#### **XIV. IMPLEMENTATION SCHEDULE**

- Create an inventory system of all City sidewalk ramps.
  - Summer 2020 – Fall 2020
- Survey all City sidewalks and sidewalk ramps.
  - Summer 2020 – Fall 2020
- Rank and prioritize all non-complaint sidewalk ramps.
  - Fall 2020 – Winter 2020
- Implement sidewalk ramp reconstruction efforts based on inventory priority ranking system.

After completion of the sidewalk ramp survey the City will know how many noncompliant ramps exist and can then finalize a ramp reconstruction schedule to bring those ramps up to current ADA standards.

## **XV. ACCOMMODATION PROCEDURE**

The accommodation process is an integral part of the ADA Transition Plan. Accommodations will be evaluated according to the policies, practices, and available funding sources. Within the City Public Works Department, the City Engineer will receive and evaluate accommodation requests.

### Accommodation Process:

Citizen with disabilities requiring curb ramps are encouraged to contact the office directly at (309) 444-1136.

Accommodation requests received by other departments or agencies will be routed to the City Engineer. This central accommodation request processing procedure ensures that the specific needs of each individual are accurately understood and recorded. The deficiency and specific location are then entered into a log and the matter referred to the Engineering Department for inspection and possible action. The Engineering Department then coordinates any work and keeps a record of all formal responses to the requester.

A request for accommodation form is provided in Appendix A. Accommodation requests may be received through a variety of communication methods:

Mail:

Attn: Dennis Carr, City Engineer  
301 Walnut  
Washington, IL 61571

Telephone: 309-444-1136

Fax: 309-444-9779

Email: [DCARR@CI.WASHINGTON.IL.US](mailto:DCARR@CI.WASHINGTON.IL.US)

## **XVI. ADA RESOURCE REFERENCES**

- U.S. Department of Justice – 2010 ADA Standards for Accessible Design  
[http://www.ada.gov/2010ADASTandards\\_index.htm](http://www.ada.gov/2010ADASTandards_index.htm)
- Illinois Department of Transportation – Accessibility in the Public Right-of-Way  
<http://www.idot.illinois.gov/about-idot/civil-rights/ADA-and-Accessibility>
- Illinois Department of Transportation- Bureau of Local Roads and Streets Manual  
<http://www.idot.illinois.gov/Assets/uploads/files/Doing-Business/Manuals-Guides-&-Handbooks/Highways/Local-Roads-and-Streets/Local%20Roads%20and%20Streets%20Manual.pdf>
- PROWAG Guidelines Public Rights of Way Accessibility Guidelines  
<https://www.access-board.gov/attachments/article/743/nprm.pdf>
- State of Illinois Capital Development Board (1997 April 24). Illinois Accessibility Code. Online Capital Development Board  
<http://www.cdb.state.il.us/forms/download/IAC/Web%20Version%20IAC.pdf>
- Illinois Attorney General's Office  
<http://www.illinoisattorneygeneral.gov/>
- United States Access Board  
<https://www.access-board.gov/>
- Federal Highway Administration  
<http://www.fhwa.dot.gov/>
- Manual on Uniform Transportation Control Devices  
<http://mutcd.fhwa.dot.gov/>

## **XVII. APPENDICES**

Appendix A Request for Accommodation/Sidewalk Repair Form

Appendix B Sidewalk Reimbursement Program

## **APPENDIX A**

### **REQUEST FOR ACCOMMODATION SIDEWALK RAMP REPAIR FORM**



# CITY OF WASHINGTON, ILLINOIS REQUEST FOR ACCOMODATION SIDEWALK RAMP REPAIR

## Reporting Individual Information:

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

---

## Accommodation Location Description

Road Name: \_\_\_\_\_ Cross Road: \_\_\_\_\_

## Please Describe the Requested Accommodation

Please include corner (i.e. NW, NE, etc.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please Mail To:  
City of Washington  
Attn: City Engineer  
301 Walnut  
Washington, IL 61571

OR

Email To:  
[dcarr@ci.washington.il.us](mailto:dcarr@ci.washington.il.us)

---

## Office Use Only – Do Not Use

Received By: \_\_\_\_\_

Date Received: \_\_\_\_\_

Action Taken: \_\_\_\_\_

c: Street Department

## **APPENDIX B**

### **SIDEWALK REIMBURSEMENT PROGRAM**



## CITY OF WASHINGTON, ILLINOIS SIDEWALK REIMBURSEMENT PROGRAM APPLICATION

**Occupant:**

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**Owner:** (if different than occupant)

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**Description of Sidewalk Issue**

Please return form to:  
City of Washington  
Attn: Building and Zoning Supervisor  
301 Walnut  
Washington, IL 61571

OR

E-Mail to:  
[bholmes@ci.washington.il.us](mailto:bholmes@ci.washington.il.us)

**Office Use Only – Do Not Use**

\_\_\_\_\_ Approved

\_\_\_\_\_ Denied (Property Owners Expense)

Reason for Denial: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Sidewalk Lineal Feet: \_\_\_\_\_

Width: \_\_\_\_\_

Date Inspected: \_\_\_\_\_

c: Street Department

## **APPENDIX C**

### **ADA GRIEVANCE FORM**





## CITY OF WASHINGTON, ILLINOIS ADA GRIEVANCE FORM

### Complainant Information:

Signature: \_\_\_\_\_

Date of Occurrence: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Address of Occurrence: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

City, State, Zip: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

---

### Description of Grievance

Please provide a detailed description of the grievance

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Action Requested to Resolve Grievance

Please state how you believe the grievance should be resolved:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please attach additional pages as needed

Please return form to:

OR

Email To:

City of Washington  
Attn: ADA Coordinator  
301 Walnut  
Washington, IL 61571

[dcarr@ci.washington.il.us](mailto:dcarr@ci.washington.il.us)

Upon request, reasonable accommodations will be provided in completing this form.  
Please contact the ADA Coordinator at (309) 444-1136 or at the address listed above.

---

### Office Use Only – Do Not Use

Received By: \_\_\_\_\_

Date Received: \_\_\_\_\_