

City of Linton, Indiana

American with Disabilities Act



Transition Plan

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I. Introduction

The Americans with Disabilities Act (ADA) of 1990 (revised September 2010), is Federal Civil Rights Legislation which mandates non-discrimination to persons with disabilities. The Act has five titles, which is listed below:

- Title I - Employment
- Title II - Public Services and Transportation
- Title III - Public Accommodations
- Title IV - Telecommunications
- Title V - Miscellaneous

Title II of the ADA prohibits discrimination by public entities on the basis of disability by making all programs, services, and activities accessible to persons with disabilities. In order to accomplish this, the Department of Justice developed regulations requiring the City of Linton to conduct a self-evaluation of the accessibility of its programs and services to determine whether issues of accessibility could be addressed through changes in the way such programs and services are provided. The City is obligated to remove physical barriers to accessibility when program changes cannot insure access to services, programs, and activities in existing facilities. Realizing that the structural changes would take time and money to provide, the Department of Justice Regulations, Federal Register 28 CFR Part 35 state that "in the event that structural changes to facilities will be undertaken to achieve program accessibility, a public entity that employs 50 or more persons shall develop a Transition Plan setting forth the steps necessary to complete such changes". Additionally, "if a public entity has responsibility or authority over streets, roads, or walkways, its Transition Plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act".

The ADA regulations further require the Transition Plan to contain the following elements:

- A list of physical barriers in the public entity's facilities that limit the accessibility of its programs, services, or activities to individuals with disabilities;
- A detailed description of the methods to be utilized to remove these barriers and make facilities accessible;
- The schedule for taking necessary steps to achieve compliance with Title II;
- The name of the official responsible for the plan's implementation;
- A schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs. Priorities should be given to the following order:
 1. State and local government offices
 2. Transportation
 3. Places of public accommodation
 4. Employees
 5. Other areas (e.g., residential areas where people needing curb ramps reside)
- An estimate of the costs for making the modification.

- The opportunity for the disabled community and other interested parties to participate in the development of the Transition Plan.

II. ADA Program Elements

- A. Responsible Official
- B. Public Notice of Rights of Individuals
- C. Grievance Procedure
- D. Self-Evaluation and Inventory
- E. Design Standards
- F. Transition Plan

III. Responsible Official

The ADA Coordinator designated for the City of Linton is:
Mr. Tim Turpen, Street Commissioner

IV. Public Notice of Rights of Individuals

The enclosed Public Notice sets out the City's compliance with Title II of the 1990 ADA. It is available at City Hall for viewing and is posted on the City's website. (See Enclosure No. 1)

V. Grievance Procedure

(See Enclosure No. 2 and Enclosure No. 3)

VI. Self-Evaluation and Inventory

As required by the ADA legislation, Linton has conducted a self-evaluation of its facilities and rights of way to insure that they are accessible to and useable by persons with disabilities.

Items inventoried included:

1. Curb Ramps - whether there are curb ramps with the truncated domes present at any corner within each intersection.
2. Sidewalk between intersections was reviewed to determine if it was a minimum of 4 feet wide (with parkway) or 5 feet wide if adjacent to curb. Driveways were reviewed to determine if they had a 4 foot width at a 2% (max) cross-slope.

The results of this inventory are available at City Hall for viewing.

Buildings and Parks were inspected to determine if ADA parking was provided and properly signed and if the facilities met present ADA Standards for accessibility. The results of this inventory are available at City Hall for viewing.

VII. Design Standards

Sidewalk and ADA ramp construction shall follow the current version of the Indiana Department of Transportation Standard Drawings and Specifications.

Building construction shall follow the current ADA requirements shown on the following website: www.access-board.gov/ada/

VIII. Transition Plan

The ADA Coordinator has the responsibility of identifying barriers and implementing Linton's barrier removal program. The steps involved in the creation of this Transition Plan are as follows:

a. Identify/Document Needs - Physical barriers in and around a facility, that prohibit access to programs, activities, and services, shall be identified and documented. "Programs, activities, and services" include the functions necessary to fulfill a building's mission". Events or programs that are open to the public must be accessible by person with disabilities.

b. Document Solutions - Document the structural or physical modifications needed to make the facility accessible. Structure modifications include architectural renovations; such as widening a door or construction of a ramp. The modifications must meet ADA requirements for new construction and changes cannot force a disabled person to access the building in an unequal manner. For example, if the main entrance does not provide accessibility but the rear entrance door does, rear entrance must be equal to the main entrance and available during operating hours.

c. Strategies for Removal of Barriers

1. Buildings and Parks

a. Targeted Removal

Barrier removal is based on the facility survey that was conducted. The plan will be reviewed annually to insure that Linton is meeting the needs of those with accessibility issues. Total accessibility for all Linton owned facilities, for every citizen, is the goal of the Transition Plan. Whenever funding is made available, facilities are added to the priority list for that particular fiscal year.

b. Retrofit or Remodel

Whenever a retrofit or remodel of an existing Linton owned building occurs, the facility is required to become compliant with ADA regulations (subject to availability of funding).

c. Maintenance or Repair

When appropriate, and when funding is available, Linton will bring facilities into compliance by replacing defective fixtures with compliant models, i.e., door knobs replaced with levered door handles, etc.

d. Leased Facilities

When Linton lease agreements are scheduled for renewal, facilities are required to become compliant with the ADA. The responsibility for the improvements shall be negotiated with the lessee.

2. Public Rights of Way

a. Targeted Removal

Barrier removal is based on the field inventory conducted. As needs may arise, through either complaints from the public or by the City's own review, select specific locations may be addressed.

b. New or Reconstruction of Existing Facility

New or reconstruction projects will include sidewalks, drives and ADA ramps in conformance with current design standards. This will include full intersection ADA ramps where projects only involve a single approach.

c. Maintenance or Repair

As maintenance and/or repair work is done to existing sidewalks, all replacement work will meet current ADA standards. If such work involves ADA ramps on one corner of an intersection, the receiving corner will be included in such work if it is not in compliance

d. New Construction or Reconstruction of Existing Private Facility

All permits for new construction or reconstruction of sidewalk, drives or intersection corners will be reviewed and required to be in compliance with current ADA standards.

3. Personnel Responsible for Carrying Out Strategies

ADA Coordinator, Mr. Tim Turpen

d. Costs for Making Modifications

Public Rights of Way

Curb Ramps - Estimated Construction Costs - \$761,940.00
Sidewalks - Estimated Construction Costs - \$1,216,519
Drive Repairs - Estimated Construction Costs - \$296,632
(Inventory results filed in the Office of the ADA Coordinator.)

Park Facilities

East Shelter

1. Rework the landing at the north side of the building to raise the level to the threshold of the doors.

Cost: \$300.00

2. Provide signage to direct occupants to accessible toilet facilities on site.

Cost: \$85.00

3. Provide striping for an accessible parking space at the East shelter with above-ground signage.

Cost: \$350.00

Restroom Structure

1. Replace 6'-0" by 6'-0" section of sidewalk to provide smooth transition into facility.

Cost: \$350.00

2. Provide an accessible wall-hung lavatory in both men's and women's restroom.

Cost: \$725.00

3. Install a 36" grab bar behind the water closet and a 42" grab bar to the side of the water closet in both the men's and women's restrooms.

Cost: \$425.00

Water Fountain

1. Install an accessible drinking fountain in the vicinity of the existing drinking fountain.

Cost: \$1,025.00

2. Provide signage directing park users to an accessible location on the property.

Cost: \$85.00

Band Area / Pavilion

1. Replace a 4'-0" by 6'-0" area that has settled causing a ridge at the pavilion surface.

Cost: \$225.00

Pool

1. Provide an accessible drinking fountain adjacent to the existing drinking fountain on the back side of the pool house.

Cost: \$1,025.00

2. Put in place a policy to permit disabled pool users to enter the pool without passing through the foot wash area.

Cost: \$0.00

3. Provide a swimming pool lift to permit a disabled patron to be transferred into the pool.

Cost: \$8,500.00

Men's Changing Room

4. Provide an accessible toilet stall with grab bars and a water closet mounted at the proper height.

Cost: \$2,500.00

5. Provide an accessible wall-hung lavatory with proper floor space to include a faucet with paddle operation.

Cost: \$725.00

6. Provide an accessible 36" by 36" transfer shower with integral seat and shower wand.

Cost: \$1,125.00

Women's Changing Room

7. Provide an accessible toilet stall with grab bars and a water closet mounted at the proper height.

Cost: \$2,500.00

8. Provide an accessible wall-hung lavatory with proper floor space to include a faucet with paddle operation.

Cost: \$725.00

9. Provide an accessible 36" by 36" transfer shower with integral seat and shower wand.

Cost: \$1,125.00

10. Provide an accessible changing booth that provides a turning radius within.

Cost: \$1,500.00

11. Provide striping for an accessible parking space at the East Shelter with above ground signage.

Cost: \$350.00

Roy Clark Community Building

1. Repair asphalt paving at the entrance to provide a smooth transition.

Cost: \$2,200.00

2. Construct a unisex accessible rest room in the facility.

Cost: \$5,425.00

Girl Scout Cabin

1. Provide signage directing patrons to the accessible toilet facilities on site.

Cost: \$85.00

West Shelter

1. Replace the landing and ten feet of sidewalk leading to the cabin to resolve the transition at the entrance.

Cost: \$500.00

2. Provide signage directing patrons to the accessible toilet facilities on site.

Cost: \$85.00

City Barn

Based upon personnel at this site, there is no function taking place at this facility which makes public interaction necessary. As such, there are no recommendations for improvement.

City Hall

1. The parking lot is on an excessive slope which due to the site conditions will be impractical to resolve. The best resolution that can be accommodated will be providing two accessible parking spaces as near to the entrance as possible with above grade signage.

Cost: \$700.00

2. Rework the ramp leading to the entrance to achieve a maximum of 1:12 slope.

Cost: \$975.00

3. Replace the threshold with a beveled surface that is a maximum of ½" in height.

Cost: \$50.00

4. Demolition toilet compartment partition, patch and repair surfaces.

Cost: \$500.00

5. Install a 36" grab bar behind the water closet and a 42" grab bar to the side of the water closet in both the men's and women's restrooms.

Cost: \$425.00

Police Department

Public access to the police station is limited to the front lobby. There is an accessible restroom in this area. No corrective action is recommended.

Sanitary Treatment Facility

There is no public access to this facility.

Water Treatment Plant

There is no public access to this facility.

Phil Harris Golf Course

1. Construct 48'-0" of ramp with railing to the deck of the clubhouse to provide access.

Cost: \$12,500.00

2. Renovate the clubhouse designated "accessible" restroom to be an accessible "unisex" single user facility. This will necessitate the removal of the urinal and partitions to provide necessary space.

Cost: \$5,425.00

Fairview Cemetery

No recommendations.

Sunset Park

There is a shower building that is not currently accessible. The following improvements are needed in both the men's and the women's side.

1. Provide an accessible toilet stall with grab bars and a water closet mounted at the proper height.

Cost: \$2,500.00

2. Provide an accessible wall hung lavatory with proper floor space to include a faucet with paddle operation.

Cost: \$725.00

3. Provide an accessible 36" by 36" transfer shower with integral seat and shower wand.

Cost: \$1,125.00

Cost Summary

Public Rights of Way Total Estimated Cost:	\$2,275,091.00
Facilities Total Estimated Cost:	\$58,865.00
Total Estimated Modifications Cost:	\$2,333,956.00

e. Public Involvement – Record of the opportunity given to the disabled community and other interested parties to participate in the development of the Transition Plan will be documented. The Draft Transition Plan will be provided to members of the City Council, and the public, for review and input into the process.

Public input was sought from the residents of Linton to help in identifying their concerns and the areas of the City they feel need modifications.

A public hearing was held on April 26, 2012, which was organized by the Mayor's office and Linton's Naturally Occurring Retirement Community. A discussion period and workshop occurred at this hearing to obtain feedback from the residents in attendance.

Also, an ADA Access Questionnaire was made available to the residents that attended the public hearing. The questionnaire contained three questions that were used to help identify the areas that the residents feel need modifications.

1. Are there any public buildings which you have observed and/or experienced problems in accessing or using?
2. Are there any parks which you have observed and/or experienced problems in accessing or using?

3. Are there any sidewalks which you have observed and/or experienced problems in access or using?

Several responses were received, with some valuable feedback, which was of assistance in determining the priority areas. These responses will also be filed in the Office of the ADA Coordinator.

f. Priorities

1. Buildings. (City Police Department, and City Hall)
 - a. First priority: Locations where complaints/problems have been identified by the public or where there is a high likelihood of ADA use.
 - b. Second priority: Locations where there is routine City business conducted.
 - c. Third priority: All other locations
2. Parks (East Shelter, Band Area/Pavilion, Pool, Roy Clark Community Building, Girl Scout Cabin, West Shelter, Phil Harris Golf Course, and Sunset Park)
 - a. First priority: Locations where complaints/problems have been identified by the public or where there is a high likelihood of ADA use.
 - b. Second priority: Locations where there is routine programs conducted or facilities are used for functions that have a high likelihood of use by the ADA community.
 - c. Third priority: All other locations
3. Sidewalks
 - a. First priority: Locations where complaints/problems have been identified by the public or where there is a high likelihood of ADA use, i.e., areas near hospitals, nursing homes or similar facilities
 - b. Second priority: Locations where there is routine City business conducted.
 - c. Third priority: Locations where there is private partnership in cost
 - d. Fourth priority: Locations in the downtown business area
 - e. Fifth priority; Locations in the residential areas.
 - f. Sixth priority: All others
4. Intersections
 - a. First priority: Missing ramps at locations where complaints/problems have been identified by the public or where there is a high likelihood of ADA use, i.e., areas near hospitals, nursing homes or similar facilities
 - b. Second priority: Missing ramps at locations where there is routine City business conducted.
 - c. Third priority: Missing ramps at locations where there is private partnership in cost
 - d. Fourth priority: Missing ramps at locations in the downtown business area

- e. Fifth priority; Missing ramps at Locations in the residential areas.
- f. Sixth priority: Replacement of substandard ramps and all others

Scheduling – These areas will be addressed as funding is identified and made available.

Parking, Facilities and Signage

Identifiable areas, without proper ADA signage or accessibility information, will be corrected, with the proper signage installed. Facility improvements will be implemented whenever funding becomes available.

g. Financial Plan and Schedule

The City of Linton will endeavor to provide \$10,000 annually in services, materials or contract replacement of deficiencies. In addition, the City will actively look for grants and other sources of funds from various programs available.

The City has the following activities planned for completion within the next three years:

1. Sidewalk and ADA Ramp Construction: NE 2nd Street from D Street to H Street; NE 3rd Street from D Street to H Street.
2. ADA access to Carnegie Heritage Arts Center.
3. Aquatic Lift for City Pool
4. Sidewalk repair and ADA ramps on Main Street from B Street to D Street; B Street from 2nd Street NW to 3rd Street NE.

IX. Enclosures

Enclosure No. 1



Notice Under the Americans with Disabilities Act

The City of Linton adopts the 2010 American with Disabilities Act Standards for Accessible Design and the 2005 Guidelines for Accessible Public Rights. In accordance with the requirements of Title II of the American with Disabilities Act of 1990 ("ADA"), the City of Linton, will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

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

MODIFICATIONS TO POLICIES AND PROCEDURES: The City of Linton will make all reasonable modifications to policies and programs to ensure that people with disabilities have equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in City of Linton 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, services, or activity of the City of Linton, should contact the office of **Tim Turpen, ADA Coordinator, 86 S. Main Street, Linton, IN 47441, (812) 847-4257**, as soon as possible but no later than 48 hours before the scheduled event.

The City of Linton 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.

Enclosure No. 2

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

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

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

Linton City Hall
Attn: ADA Coordinator
86 S. Main Street
Linton, IN 47441
(812) 847-4257

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her 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 his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Linton and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response, to the Mayor or his/her designee.

Within 15 calendar days after receipt of the appeal, the Mayor or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Mayor or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution to the complaint.

1. All written complaints received by the ADA Coordinator or his/her designee, appeals to the Mayor or his/her designee, and responses from these two offices will be retained by the City of Linton for at least three years.

City of Linton

ADA Grievance Form

Name: _____

Address: _____

Phone Number: _____

Email Address: _____

Location of problem: _____

Date noticed: _____

Description of problem:

***Please attach additional pages if needed**

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:

**Linton City Hall
Attn: ADA Coordinator
86 S. Main Street
Linton, IN 47441
(812) 847-4257**

X. Updated Modifications