

TRANSITION PLAN FOR PUBLIC RIGHTS-OF-WAY

Section 504 of the Rehabilitation Act
of 1973 (29 USC 794(a))
Americans with Disabilities Act (ADA)
of 1990 (42 USC 12111)

Town of Richland, Indiana

October 14, 2020

ADA TRANSITION PLAN FOR PUBLIC RIGHTS-OF-WAY
Town of Richland, Indiana

Table of Contents

1. Introduction
2. Transition Plan Development
 - A. ADA Coordinator
 - B. Grievance Procedure
 - C. Self-Evaluation
 - D. ADA Standards, Specifications and Design Details
 - E. Implementation

Appendix A - Complaint/Grievance Form

Appendix B – INDOT Standards For Curb, Curb Ramp And
Sidewalk Construction

Appendix C – Summary Of The Inventory And Recommendations
For Curb Ramps And Sidewalks

1. INTRODUCTION

The Americans with Disabilities Act (ADA) was enacted on July 26, 1990 and later amended effective January 1, 2009. As written and implemented, the ADA provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, access to public accommodations, transportation, and telecommunication. The ADA is a companion civil rights legislation to the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. In order to be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such impairment. The ADA, however, does not specifically name all of the impairments that are covered.

The ADA is divided into five sections covering the following topics:

Title I: Employment

Title II: Public Services (and Transportation)

Title III: Public Accommodations (and Commercial Facilities)

Title IV: Telecommunications

Title V: Miscellaneous Provisions

Title II, specifically prohibits state and local governments from discriminating against persons with disabilities or from excluding participation in or denying benefits of programs, services, or activities to person with disabilities. It is under this title that this transition plan has been prepared. This transition plan is intended to outline the methods by which physical changes will be made to give effect to the non-discrimination policies described in Title II.

2. TRANSITION PLAN DEVELOPMENT

To ensure program accessibility for people with disability in the community, the **Town Of Richland** has developed a Transition Plan, which is to be considered good practice. This Transition Plan for Public Rights-of Way considers the following:

A. ADA COORDINATOR:

Effective communication is essential to address all the complaints or concerns of all individuals. In order to keep maintaining the lines of communication open, and thereby ensuring effective communication between all parties, the **Town of Richland** has designated Cindy Sarver as the ADA coordinator. The ADA Coordinator shall coordinate the **Town of Richland's** efforts to comply with and carry out its responsibilities under Title 11 of the ADA, including any investigation of any complaint communicated to the ADA coordinator. Such complaints may take the form of alleging noncompliance with ADA mandates or alleging any actions that would be prohibited under the ADA. The **Town of Richland** shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints. Every complaint must be directed in writing to the ADA Coordinator, in this case. _____

B. GRIEVANCE PROCEDURE:

The Grievance Procedure established below is intended to adhere to the standards outlined in the ADA. The procedure must be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provisions of services, activities, programs, or benefits provided by the **Town of Richland**.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complaint and location, date, and description of the problem. Grievance Forms must be used to lodge a complaint, please make reference to Appendix A. Alternative means of filing complaints, such as personal interviews or 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 180 calendar days after the alleged violation to:

Cindy Sarver, ADA Coordinator

PO Box 126

Richland, IN 47634

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, ADA Coordinator or his 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 Town of Richland and offer options for substantive resolution of the complaint.

If the response by ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the ADA Coordinator or his/her designee. Within 15 calendar days after receipt of the appeal, the ADA Coordinator or his/her designee will meet again with the complainant to discuss the appeal and possible resolutions. Within 15 calendar days after the meeting, the ADA Coordinator or his/her designee will respond in writing, and, where appropriate, in a format described above that 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 ADA Coordinator or their designee, and responses from ADA office will be retained by the **Town of Richland** for at least three (3) years.

ADA TRANSITION PLAN FOR PUBLIC RIGHTS-OF-WAY
Town of Richland, Indiana

C. SELF EVALUATION

The **Town of Richland** has conducted an inventory of curb ramps and sidewalks using field visits supplemented by aerial photography. Many of these do not meet ADA minimum requirements. The Town of Richland is committed to making all curb ramp and sidewalk areas accessible to all pedestrians including those with disabilities. This will be accomplished through the following programs:

- All new construction, reconstruction, roadwork construction or alterations, including federal projects under the control and/or inspection of the Town of Richland Department will be in compliance with the ADA;
- The **Town of Richland** will have in place an annual sidewalk repair program;
- **Alternate No. 1.** Using a conservative estimate of (Example, \$1,500) per curb ramp installation or reconstruction, the **Town of Richland** is committing from gasoline sales tax, (Example, \$25,000 each year for the next 20 years). The **Town of Richland** will complete this work with its own forces or will obtain bids to complete this work for the purpose of installing new curb ramps and reconstructing existing curb ramps to meet ADA standards.
- **Alternate No. 2.** Based on an inventory of their curb ramps and sidewalk, the **Town of Richland** is committing from gasoline sales tax, (Example, \$25,000 each year for the next 20 years) for rehabilitation of curb ramps and sidewalk. The **Town of Richland** will complete this work with its own forces or will obtain bids to complete this work for the purpose of installing new curb ramps and reconstructing existing curb ramps to meet ADA standards. A summary of the inventory and recommendations is included in **Appendix C**.
- Missing or non-complaint curb ramps shall be prioritized.

SELF EVALUATION, Continued

- Missing or non-complaint sidewalk areas beyond the public right-of-way that connect building and facility entrances to public streets and sidewalks may fall under other ADA guidelines. As such, these are outside the scope of this document, and will be documented and prioritized elsewhere.
- The Indiana Department of Transportation will be responsible and will cover all crosswalks and curb ramps on all corners directly adjacent to the state roads, including those curb ramps and crosswalks running parallel to a state road, for the purposes of this inventory.

D. ADA STANDARDS SPECIFICATIONS AND DESIGN DETAILS:

The standards are intended to apply to all construction undertaken within the **Town of Richland** Rights-of-Way. The **Town of Richland** standards and specifications together with the Indiana Department of Transportation design guidelines, standard drawings, and standard specifications will provide the key standards and guidelines for this plan. Other standards, if necessary, will be applied at the discretion of the ADA Coordinator.

Copies of the latest INDOT Standards for curb, curb ramp, and sidewalk construction are included in **Appendix B**.

E. IMPLEMENTATION

The Town of Richland intends to implement this Transition Plan effective the date of this document. Not only does the **Town of Richland** commit to following the guidelines set forth in this Transition Plan, but it also commits to actively revising and amending this document as new information is discovered. Further, as a matter of policy, this document will be updated at least every five years. A copy of this document will also be placed on the **Town of Richland's** website.

Appendix A: Complaint / Grievance Form

Grievant Information:

Grievant Name:			
Address:	City:	State:	Zip Code:
Phone: () -	E-Mail:		
Alternative Phone: () -			

Person Preparing Complaint Relationship to Grievant (if different from Grievant):

Name:			
Address:	City:	State:	Zip Code:
Phone: () -	E-Mail:		
Alternative Phone: () -			

Please specify any location(s) related to the complaint or grievance (if applicable):

Please provide a complete description of the specific complaint or grievance:

Please state what you think should be done to resolve the complaint or grievance:

Please attach additional pages as needed.

Signature: _____

Date: _____

Please return to: ADA Coordinator, Cindy Sarver, PO Box 126, Richland, IN 47634

Upon request, reasonable accommodation will be provided in completing this Form or copies of the form will be provided in alternative formats. Contact the ADA Coordinator at the address listed above or via telephone (812) 660-0550.

APPENDIX B

**INDOT STANDARDS FOR CURB, CURB RAMP AND
SIDEWALK CONSTRUCTION**

APPENDIX C

**SUMMARY OF THE INVENTORY AND
RECOMMENDATIONS**

FOR CURB RAMPS AND SIDEWALKS

Town of Richland, IN ADA Transition Plan
 Summary of Inventory and Recommendations
 Curb Ramps and Sidewalks

10/14/2020

No.	Street 1 (Typ E/W Street)	Street 2 (Typ N/S Street)	# of Ramps	Ldg	DW	PS	Obs	Sdw	Cnt	XSL	Priority	FY	Return Date	Curb Ramp Costs	Sidewalk Costs	Cross-Walk Costs	Signal Costs	Total Costs
1																		
2																		
3																		
4																		
5																		
6																		
7																		
8																		
9																		
10																		
11																		
12																		
13																		
14																		
15																		
16																		
17																		
18																		
19																		
20																		
21																		
22																		
23																		
24																		
25																		
26																		
27																		
28																		
29																		
30																		

Code	Description
# of Ramps	Number of ramps present in the intersection.
Ldg	Number of landings, flat areas of at least 4 ft. x 4 ft. above the curb ramp
DW	Number of detectable warning surfaces provided
PS	Number of Passing Space Issues: at least 4 ft. of clearance along the sidewalk needed
Obs	Number of obstructions that make it difficult to traverse or pass around them
Sdw	Number of sidewalk present from the intersection
Cnt	Number of sidewalk continuous to the next intersection
XSL	Number of Cross Slope Issues (ex. ramp slope is excessive)

Town of Richland, Indiana

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE NOTICE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT IN THE COMMUNITY OF ANYWHERE

WHEREAS, the Town of Richland receives Federal funds for many uses and projects; and

WHEREAS, the receipt of such funds requires compliance with Federal laws and policies; and

WHEREAS, it is the wish of the U.S. Equal Employment Opportunity Commission that Municipal entities such as Town of Richland formally enact and adopt policies and procedures demonstrating compliance with the Americans With Disabilities Act (ADA); and

WHEREAS, The **Town of Richland**, by it Town Council wishes to formally adopt and implement the following policy and procedure for the benefit of all **Town of Richland** Citizens; and

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the **Town of Richland** that the following declaration become a written policy of the Town of Richland and be posted in all Municipal Buildings upon passage.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT (ADA)

The **Town of Richland** adopts the 2010 Americans 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 Americans with Disabilities Act of 1990 ("ADA"), the **Town of Richland**, Indiana will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The Town of Richland Indiana 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 Richland Indiana 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 Richland's** programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The Town of Richland 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 **Town of Richland** offices, even where pets are generally prohibited.

**A RESOLUTION ADOPTING THE NOTICE PROVISIONS OF THE AMERICAN
WITH DISABILITIES ACT IN THE TOWN OF RICHLAND**

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 Richland should contact Jenifer Schneider at the office of Town of Richland, 812-660-2463 as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the **Town of Richland** 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 Richland** is not accessible to persons with disabilities should be directed to Jenifer Schneider at the office of **Town of Richland**, 812-660-2463. The **Town of Richland** 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.

**Town of Richland
Grievance Procedure under
The Americans with Disabilities Act**

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

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

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

Town of Richland
PO Box 126
Richland, IN 47634

Within 15 calendar days after receipt of the complaint, the Executive Director 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 Executive Director 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 **Town of Richland** and offer options for substantive resolution of the complaint.

**A RESOLUTION ADOPTING THE NOTICE PROVISIONS OF THE AMERICAN
WITH DISABILITIES ACT IN THE TOWN OF RICHLAND**

If the response by the Executive Director 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 ADA Coordinator Cindy Sarver, or [his/her] designee.

Within 15 calendar days after receipt of the appeal, the ADACoordinator,CindySarver or ~~[his/her] designee~~ will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the ~~ADA Coordinatior, Cindy Sarver or [his/her] designee will respond~~ in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the Executive Director or his/her designee, appeals to the Town of Richland Council or his/her designee, and responses from these two offices will be retained by the Town of Richland for at least three years.

RESOLVED this ____ day of _____, 2020

Dan Kincaid, President
Town of Richland Council

ATTEST:

_ Jenifer Schneider, Clerk-Treasurer

**A RESOLUTION ADOPTING THE NOTICE PROVISIONS OF THE
AMERICAN WITH DISABILITIES ACT IN THE TOWN OF RICHLAND**

PRESENTED BY ME, the undersigned **Clerk-Treasurer** to the Town Council; of the
Town of Richland for approval on the _____ day of _____, 20__.

Jenifer Schneider, Clerk-Treasurer

The foregoing Resolution No. _____ consisting of four (4) typewritten pages, including
this page, approved by the _____ on the _____ day of _____
_____, 20__.

Dan Kincaid, President

PASSED by the _____ on the _____ day of _____, 20__.

ADA INVENTORY OF CURB RAMPS AND SIDEWALKS

LPA: _____

Date: _____

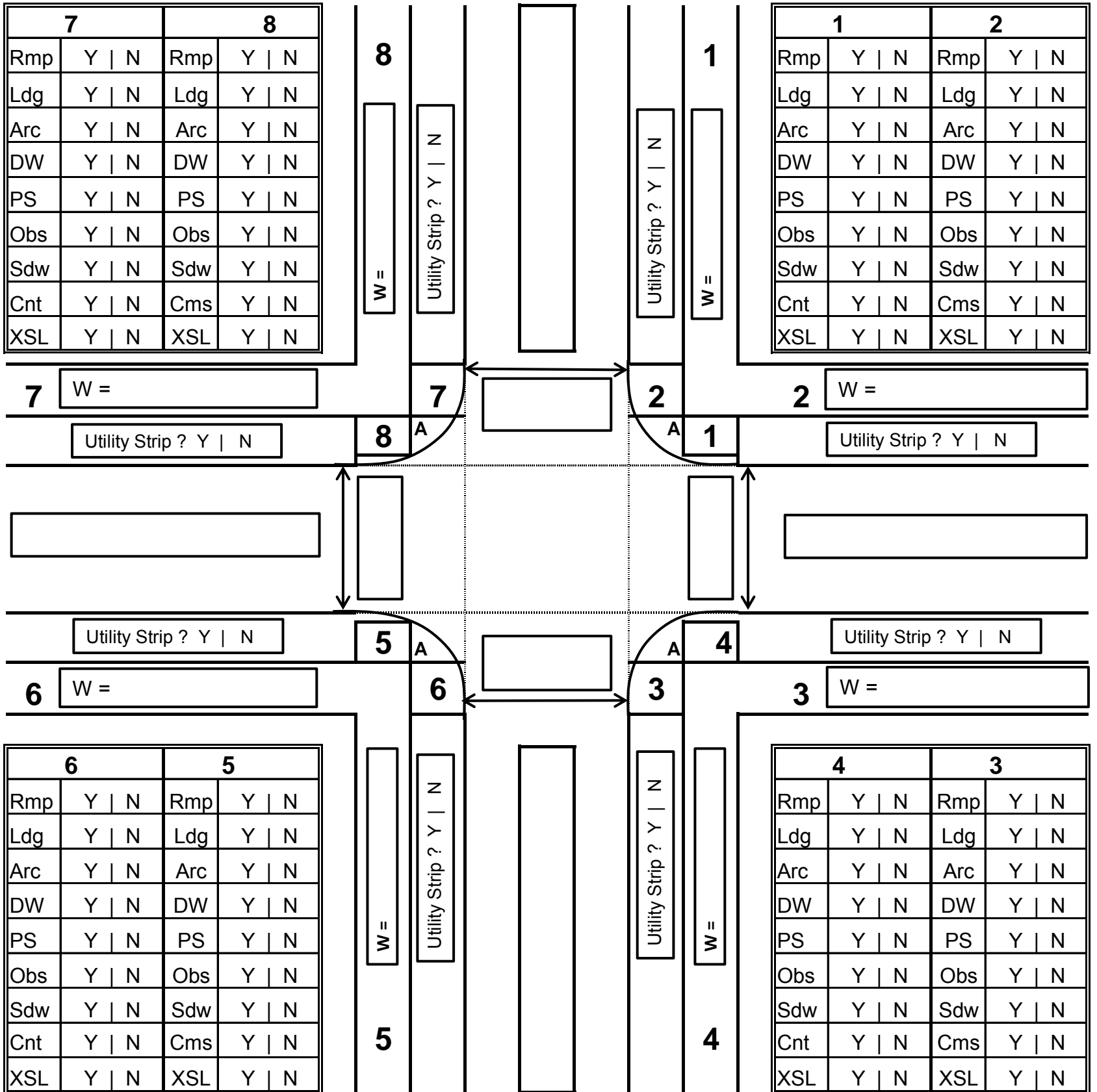
Name/ ID: _____

INTERSECTION DESCRIPTON: _____

N/S Coord: _____

E/W Coord: _____

Return Date: _____



Legend

Rmp Ramp Present	Obs Obstruction(s) Found
Ldg Landing Present	Sdw Sidewalk Present
Arc (A) Ramp on Arc (Blended Transition)	Cnt Continuous Surface
DW Detectable Warning Area Present	XSL Cross Slope Appears Adequate
PS Passing Space Adequate	W Width of Sidewalk

Sketch Plan / Notes

ADA INVENTORY OF CURB RAMPS AND SIDEWALKS

These are the instructions for completing the ADA Inventory of Curb Ramps and Sidewalks using INDOT's Work Management System (WMS) instructions:

1. Complete the owner/location information at the top of the form
 - a) Name of LPA
 - b) Date survey is made
 - c) Name or ID of person completing inventory
 - d) Brief intersection description (ex. First St. and Maple Ave.)
 - e) Location in world coordinates Latitude/Longitude (ie. N/S and E/W)
 - 1) (ONLY INSERT ONE LAT/LONG PER INTERSECTION)
 - f) For the "Return Date", enter the date to re-visit the site, if needed in order to confirm and measure the items thought to be in compliance.

2. Street Intersection Diagram
 - a) Show street names
 - b) Draw line(s) across intersection for a Tee intersection and show "X" for street name box. Follow the dashed lines shown if needed.
 - c) Feel free to draw a sketch of the intersection in the box provided at the bottom of the form.
 - d) Show street widths in the boxes provided, if known/measured

3. Sidewalk Widths. Show sidewalk widths in the box with a "w = ", if known/measured

4. In the boxes with "Utility Strip? Circle "Y" for Yes if there is a grass/gravel/other separation between the street and the sidewalk. Some sidewalks may be located immediately next to the street/back of curb. In that case, circle "No".

5. All information is required to ensure that all Public Rights of Way Accessibility Guidelines (PROWAG) are addressed. Once the LPA has ADA Inventory data to upload:
 - a) Log into ITAP to upload the data on the ITAP website by clicking in the upper left corner of the page after login.
 - b) After completing the ADA Inventory, prioritize what public right of way has greater pedestrian traffic and need.
 - c) These priorities should guide the priority list for correction or replacement in the LPA Transition Plan
 - d) Run a report in WMS for transition priorities. Make a list of sites to visit to enter the data in for the sites believed to be compliance.

6. The Inventory Form is set up so that the LPA can show if the curbs and sidewalks are compliant. Each quadrant of an intersection has been given a number for the curb ramp and also the sidewalk leading to the curb ramp. If the sidewalks from each direction lead to a single curb ramp located on the curved portion of the curb radius, it will be noted with an "A". A legend of the codes is shown below with their respective description for Yes/No questions.

Legend for Form (Circle Y (Yes) or N (No) for each)

<u>Code</u>	<u>Name</u>	<u>Description</u>
Rmp	Ramp Present?	Is there a ramp present for this sidewalk?
Ldg	Landing Present?	Is there a flat area of at least 4 ft. x 4 ft. above the curb ramp?
Arc (A)	Ramp on Arc (Blended Transition)?	Do sidewalks come together at a single ramp on the curve?
DW	Detectable Warning Area Present?	Is a detectable warning surface provided (raised domes)?
PS	Passing Space Adequate?	Is there at least 4 ft. of clearance along the sidewalk? This may be a pole or other obstruction located on the sidewalk.
Obs	Obstruction(s) Found?	Are there obstructions (see "Obs" above) that make it difficult to pass around them? If the curb ramp surface is not flush with the pavement, the pavement or curb may create an obstruction.
Sdw	Sidewalk Present?	Is a sidewalk present from the intersection on?
Cnt	Continuous Surface?	Is the sidewalk continuous to the next intersection?
XSL	Cross Slope Appears Adequate?	Is the cross slope of the sidewalk or ramp excessive? Over ¼ inch per foot across a sidewalk? Over 1 inch per foot for a curb ramp?
w	Width of Sidewalk?	What is the width of the sidewalk?

*LPA-Local Public Agency

ADA INVENTORY OF CURB RAMPS AND SIDEWALKS

SELF-EVALUATION CHECKLIST	
ISSUE	Possible Barriers
Sidewalk and Pathway Clear Width	Narrow, Below Guidelines
Sidewalk and Pathway Cross Slope	Steepness, Irregularity, Variability, Warping
Landings Along Sidewalks and Pathways	Less Than 4 feet by 4 feet
Sidewalk and Pathway Grade	Steepness, Angle Points
Materials and Finishes	Deterioration of Surfaces, Deterioration of Markings, Appropriateness of material (ex. Cobblestones)
Gratings	Grating Type, Grate Opening Orientation
Discontinuities	Missing Sections, Gaps, Drops, Steps
Detectable Warning System	Missing, Inappropriate Materials, Inadequate Size, Wrong Location
Obstructions	Signs, Mail Boxes, Fire Hydrants, Benches, Telephones, Traffic Signal Poles, Traffic Signal Controller Boxes, Newspaper Boxes, Drainage Structures, Tree Grates, Pole Mounted Objects, Standing Water, Snow or Ice
Traffic Signal Systems	Lack of Provision for the Visually Impaired such as APS, Inadequate Time Allowed, Inoperable Buttons, Inaccessible Buttons
Curb Ramp	Missing, Doesn't Fall within Marked Crosswalk, Doesn't Conform to Guidelines
Curb Ramp Flares	Missing Where Required, Too Steep