

Americans with Disabilities Act Transition Plan Public Right-of-Way Facilities

Prepared by:



For



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City of Phenix City, Alabama

Americans with Disabilities Act (ADA)

Self-Evaluation and Transition Plan

INTRODUCTION

The Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan is to ensure that the City of Phenix City creates reasonable means of travel within the public street right-of-way for everyone, including those with physical disabilities. The City of Phenix City is committed to a long term solution to improving the accessibility of its pedestrian facilities. The Transition Plan aims to identify existing facilities and policies and develop programs that will enhance overall pedestrian accessibility.

The Architectural and Transportation Barriers Compliance Board (Access Board) has also Proposed Accessibility Guidelines for the Design, Construction, and Alteration of Pedestrian Facilities in the Public Right-of-Way (PROWAG). Those guidelines ensure that sidewalks, pedestrian street crossings, pedestrian signals, and other facilities for pedestrian circulation and use constructed or altered in the public right-of-way by state and local governments are readily accessible to and usable by pedestrians with disabilities.

BACKGROUND

The Americans with Disabilities Act (ADA) of 1990 is a civil rights statute (hereinafter referred to as the Act) that prohibits discrimination against people who have disabilities. There are five separate Titles (sections) of the Act relating to different aspects of potential discrimination.

Employment (Title I) - This title covers all aspects of employment. It directly prohibits discriminating against persons with disabilities in application, hiring, advancement, training, compensation or discipline. All government entities should have already been in compliance with these regulations through Section 504 of the 1973 Vocation Rehabilitation Act.

Public Service & Transportation (Title II) - This title of the ADA prohibits discrimination to disabled persons in programs, services and activities of the state and local government. This includes the provision of making such services accessible through "barrier free" public facilities. This title requires state and local governments to adopt a transition plan identifying structural barriers and the changes necessary for their alteration or removal.

Public Accommodations (Title III) - This title is concerned with the provision of access to any public accommodation provided at a privately funded and operated facility.

Telecommunications (Title IV) - This title requires telephone companies to provide voice transmission relay services for speech impaired persons and to increase the availability of telecommunication devices for the deaf (TDD). This title also requires any public service messages on television to be closed-captioned for the hearing impaired.

Other Provisions (Title V) - This title includes miscellaneous provisions such as construction standards, attorney's fees and technical assistance.

Title II of the ADA requires all public entities with 50 or more employees to perform a self-evaluation of all

programs, services, facilities, and public right-of-way and ensure these services and activities are accessible to people with disabilities. Title II of the Act specifically addresses the subject of making public services and public transportation accessible to those with disabilities. With the advent of the Act, designing and constructing facilities for public use that are not accessible by people with disabilities constitutes discrimination.

The Act applies to all facilities, including both facilities built before and after 1990. As a necessary step to a program access plan to provide accessibility under the ADA, state and local government, public entities or agencies are required to perform self-evaluations of their current facilities, relative to the accessibility requirements the ADA. The agencies are then required to develop a Program Access Plan, which can be called a Transition Plan, to address any deficiencies.

Title II of the ADA pertains to state and local governments and requires that persons with disabilities be provided with an equal opportunity to benefit from government programs, services and activities. Title II Article 8 requires public entities to take numerous steps to aid in achieving compliance. These include:

- 1) Prepare a **Self-Evaluation** of programs, services and activities that may not be accessible to persons with disabilities;
- 2) Develop a **Transition Plan** to provide for the elimination of barriers for disabled persons to access these programs, services and activities;
- 3) Designate at least one employee as the **ADA Coordinator** to be responsible for the ADA compliance program;
- 4) Establish a **Grievance Procedure** to respond to complaints regarding accessibility;
- 5) Provide **Notice** to the public of the City's obligations under Title II to prohibit discrimination on the basis of disability; and
- 6) Provide an **Opportunity** for interested persons, including individuals with disabilities, or organizations representing individuals with disabilities, to participate in the development of the Transition Plan by submitting comments and making specific recommendations.

SELF-EVALUATION

Inventory and Assessment

A continuous accessible pedestrian route at least 4 feet wide with a maximum cross slope of 2% is specified along pedestrian networks per PROWAG. The City performed an inventory and assessment of the existing sidewalk networks access throughout the City in August 2016. The City of Phenix City has approximately 27 miles of sidewalks and 530 curb ramp locations. The inventory provided a comprehensive review of the sidewalk network within the City and focused on the existing sidewalk networks within the public street right of way and included sidewalks, curb ramps, and driveway crossings. An inventory of existing physical barriers within the public street right-of-way was also included in the assessment. All sidewalk segments and intersections with curb ramps were assessed on foot and measured for width by tape and slope by digital level to determine compliance/non-compliance with ADA/PROWAG standards.

Deficiencies found in the inventory of facilities are identified in [Tables 1 and 2](#). The majority of curb ramps and sidewalks were found in non-compliance with ADA Accessibility Guidelines. From the inventory for ADA compliance approximately 80% of curb ramps and 75% of sidewalks were found to be in non-compliance with ADA Accessibility Guidelines. Non-compliance related to curb ramps is due to the lack of detectable warnings, excessive cross slopes at landings, depth of landings, and vertical elevation differences where the ramp meets the street.

The inventory was developed using aerial mapping and field investigation. Mapping of the inventory is attached ([Appendix A](#)). The mapping shows the initial evaluation presented to the public at a meeting held November 10, 2016 at the Central Activity Center. Red squares show the location of missing or non-compliant curb ramps. Red lines illustrate sidewalk segments that were documented as non-compliant. Green triangles noted obstructions (barrier) that limit accessibility. Photographic examples of obstructions are included below.



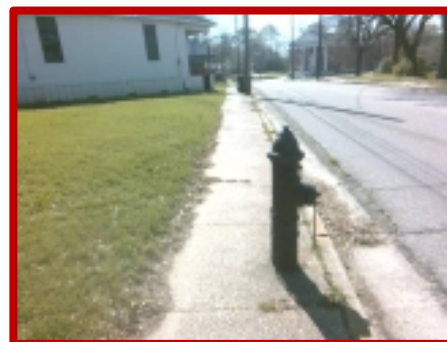
Power Pole Obstruction.



Mailbox Obstruction.



Neighborhood Mailbox Obstruction.



Fire hydrant Obstruction.

Table 1. Sidewalk Deficiencies

POSSIBLE BARRIERS	ISSUE
Narrow, Below Guidelines	Sidewalk Clear Width
Steepness, Irregularity, Variability, Warping	Sidewalk Cross Slope
Steepness	Sidewalk Grade
Signs, Mail Boxes, Fire Hydrants, Benches, Traffic Signal Poles, Traffic Signal Controller Boxes, Newspaper Boxes, Drainage Structures, Pole Mounted Objects, Standing Water, Vegetation, Power Poles, Retaining Walls, Storm Grates, Stormwater Manholes, Water Valves	Obstructions
Deterioration of Surfaces and Markings, Appropriateness of Material	Materials and Finishes
Grating Type, Grate Opening Orientation	Gratings
Missing Sections, Gaps, Drops, Steps	Discontinuities

Table 2. Curb Ramp Deficiencies

ISSUES	POSSIBLE BARRIERS
Curb Ramps	Missing, Doesn't Conform to Guidelines
Curb Ramps - Clear Width	Narrow, Below Guidelines
Curb Ramps - Cross Slope	Steepness, Irregularity, Variability, Warping
Curb Ramps - Grade	Steepness
Landings	Less Than 4 feet by 4 feet, Too Steep
Detectable Warning Systems	Missing, Inappropriate Materials, Inadequate Size, Wrong Location
Curb Ramps - Flares	Missing Where Required, Too Steep

The data inventory was then further assessed to provide an inventory of those areas which have limited access within the City and may be noncompliant with ADA/PROWAG standards. Comments from the public meeting and stakeholders were also included in the database. The data has been compiled and the results are attached in [Appendix B](#). Data collected from this assessment enables the City to: 1) determine if existing pedestrian access within public street right of way meets intended design specifications and guidelines; 2) document features and maintenance information; 3) identify portions of sidewalks or pedestrian access areas within public street right of way requiring modifications; 4) quantify the extent of the work required; and, 5) include and update the data in the City's database. The barrier ranking analysis used in this process took into account usage, severity, and proximity to key facilities which the City believes responds to the needs of people with disabilities in the community.

Sidewalk points which were highly traveled and contained major deficiencies within close proximity to public facilities were given priority for barrier removal. Any of the sidewalk points which are of public grievance will also be given higher priority in barrier removal. Scheduling and budget allocation were based upon the rating and priority resulting from the assessment of each sidewalk location. A list of the sidewalk locations divided into City Districts including rating and scheduling is given in [Appendix B](#).

The sidewalk points were then evaluated considering ADA/PROWAG requirements. Each access point was then given a rating using the following system:

Green – No deficiencies

Yellow – Minor deficiencies, Low to Moderate Severity, Low to Moderate Usage, Considerable distance from public facilities and neighborhoods.

Red – Major deficiencies, High Severity, High Usage, Close proximity to public facilities

OBSTACLES TO THE PUBLIC RIGHT-OF-WAY

In order to correct these deficiencies, the City of Phenix City will use different approaches including proactively removing known barriers, responding to public complaints, and ensuring the use of current design standards on new construction.

BARRIER REMOVAL PRIORITIES

The first step in programming accessibility construction projects is developing a priority system. Title II of the ADA gives priority to accessible pedestrian routes adjacent to or in the vicinity of state and local government offices and facilities, transportation services, facilities containing employees, and other areas such as residential neighborhoods.

- For the purposes of this ADA Transition Plan, the **highest priority** accessibility construction projects are those requested by qualified persons with disabilities where practical.
- The **second priority** projects are those that may involve a path of travel or condition of use that needs safety improvements, such as missing curb ramps or sidewalk repair around the administrative buildings, public safety buildings, and other public facilities.
- The **third priority** projects are those that may involve a path of travel or condition of use

that needs safety improvements. Corrections vary from maintenance efforts such as sediment and vegetation removal to construction of missing curb ramps or sidewalk repair on existing streets and pedestrian facilities. Precedence will be based on usage and distance from public facilities and neighborhoods such as transportation hubs and shopping.

- The **fourth priority** projects are those that require infill or new construction to correct gaps or barriers to provide connectivity on existing streets and pedestrian facilities.
- The **fifth priority** projects are those that involve removing obstructions on existing streets and pedestrian facilities such as signal poles, mail boxes and storm drains.
- The **sixth priority** projects are those that are of replacing non-compliant ramps and sidewalk sections on existing streets and pedestrian facilities. Precedence will be based around the transportation hubs, shopping and neighborhoods with connections to destinations.
- A **continuing priority** will be to continue to monitor the necessity of needed repairs or improvements to the accessible pedestrian routes maintained by the City. Facilities will be evaluated on an as needed basis, but no less than annually.

PRIORITY RANK

The above criteria will be used only as a general guideline and other dynamics may be taken into consideration. Issues such as current volumes of pedestrian traffic, planned future projects, land use changes, and specific complaints will be taken into account.

AVAILABLE AND APPROPRIATED FUNDING FOR PLANNED AND ACTIVE PROJECTS

The City has a list of projects with available, appropriated and or active funding which implement the construction of sidewalk and curb ramps. The following **Table 3** is a list of those projects:

Table 3. Available, Appropriated and Active Projects in City

Project Name	Funding	Cost
14 th ST, BROAD ST, & 5 TH AVE SIDEWALK IMPROVEMENTS	TAP	\$90,000
CRAWFORD RD IMPROVEMENTS	ATRIP	\$2,250,000
5 TH ST SOUTH IMPROVEMENTS	ATRIP	\$1,200,000
SOUTH RAILROAD STREET IMPROVEMENTS	MPO	\$1,425,000

BRICKYARD ROAD IMPROVEMENTS	MPO	\$1,400,000
TOTAL		\$8,615,090

NEW CONSTRUCTION AND ALTERATIONS

The City of Phenix City follows current ADA design guidelines whenever there is an intersection improvement project or new construction project and any affected curb ramps, sidewalks, and crosswalks will be rebuilt to these guidelines, where feasible and reasonable. Specific design requirements based on the development type for sidewalk facilities are located in the City’s Subdivision Regulations.

SCHEDULE

An inventory of the City of Phenix City’s existing pedestrian facilities on public rights-of-way has been completed. The City of Phenix City has prioritized efforts to make any necessary corrections or improvements. The majority of the corrections will be driven by new construction projects and resurfacing projects as well as pedestrian facility remediation projects. A high priority will be given to evaluate all legitimate ADA compliance complaints, which too will be event driven corrections. Other corrections will then be addressed as time and budget allow. The following **Table 4** gives the schedule and budget for pedestrian facility remediation projects. Funding and schedule for these actions is dependent upon annual appropriations by the City Council.

PRIORITY	SITUATION	SCHEDULE*	ESTIMATED BUDGET*
1	Practical accessibility construction projects requested by qualified persons with disabilities.	2017-2022	\$100,000/annual
2	Missing curb ramps or sidewalk repair around administrative buildings, public safety buildings and other public facilities.		
3A	Missing curb ramps on existing streets and pedestrian facilities.	2023-2028	\$100,000/annual
3B	Repair sidewalks and curb ramps on existing streets and pedestrian facilities.		

4	Complete sidewalk gaps with new sidewalk construction to provide connectivity on existing pedestrian facilities.		
5	Remove obstructions from existing streets and pedestrian facilities.		
6A	Replace non-compliant ramps on existing pedestrian facilities.	2029-2040	\$100,000/annual
6B	Replace non-compliant sidewalk section on existing streets and pedestrian facilities.		

***Schedule and Estimated Budget are dependent upon annual City Council funding appropriations.**

PUBLIC COMPLAINT PROCESS

Public complaints will play a significant role in prioritizing improvements. Any complaint or request regarding a sidewalk or curb ramp will be immediately directed to the ADA coordinator. The complaint or request shall be submitted, in writing, to the ADA coordinator. The complaint shall include a detailed description and location along with any other information that will allow the ADA coordinator to properly examine and evaluate the issue. After evaluation, the ADA coordinator will provide a written response to the complainant and the complaint and response will be recorded and filed.

ADA Coordinator

The official responsible for implementation of City of Phenix City’s ADA transition plan for pedestrian facilities in the public road right-of-way is:

Gil Griffith

1119 Broad Street

Phenix City, Alabama 36867

Phone: 334-448-2740

Email: ggriffth@phenixcityal.us

Grievance Procedure

To request an ADA accommodation or file an ADA grievance, contact the ADA Coordinator, follow the established grievance procedure ([Appendix C](#)), and fill out the attached ADA Complaint Form ([Appendix D](#)).

PUBLIC COMMENT AND ADOPTION

The City of Phenix City has made this Plan available to interested citizens and interest groups for review and comment. The Plan was available for review and comment for the period between November 10, 2016 and November 25, 2016. Notice of the availability for public comment was provided via a listing on the city web site,

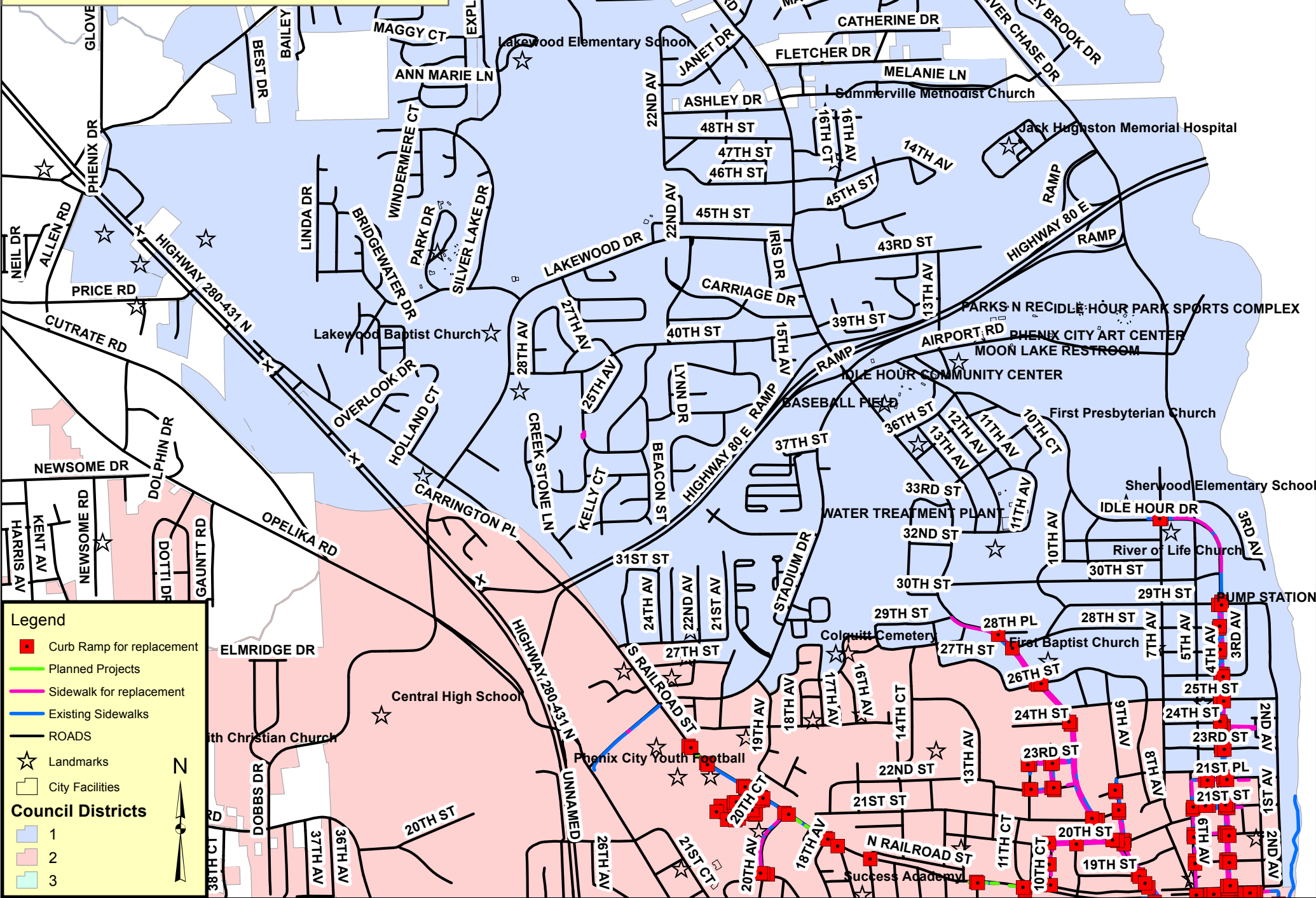
www.phenixcityal.us and by direct notice to groups or organizations representing persons with disabilities. A copy of all notices and a list of comments received are included with this plan as **Appendix E**.

This Transition Plan was approved by the City of Phenix City Council by Resolution 2017-184 on August 1, 2017. A permanent copy of this plan and all public comment shall be retained in the records of the City Clerk.

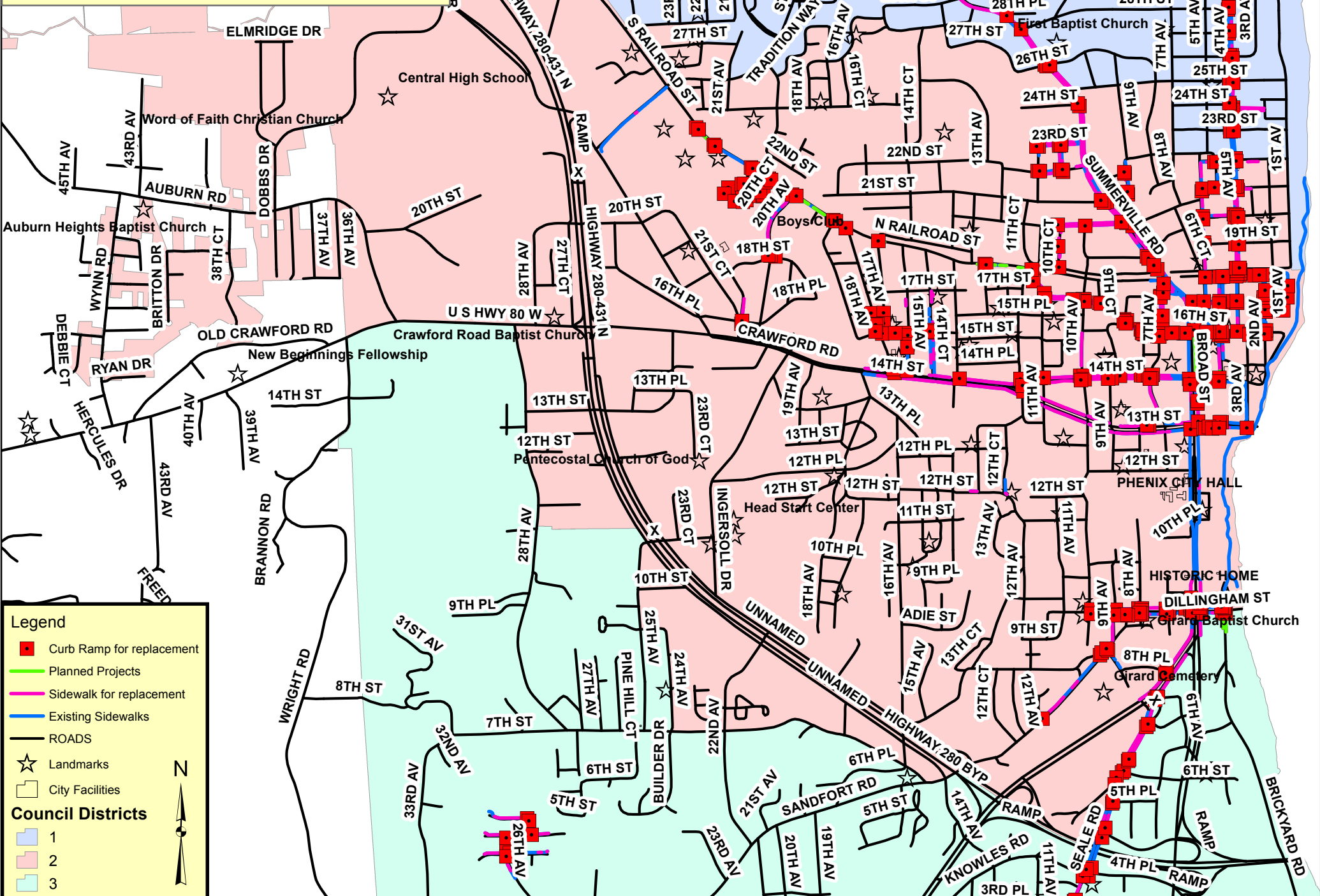
Appendix A

Mapping Inventory

**AMERICANS WITH DISABILITIES ACT (ADA)
TRANSITION PLAN
FOR PUBLIC RIGHTS OF WAY
PHENIX CITY, ALABAMA**



AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN FOR PUBLIC RIGHTS OF WAY PHENIX CITY, ALABAMA



Legend

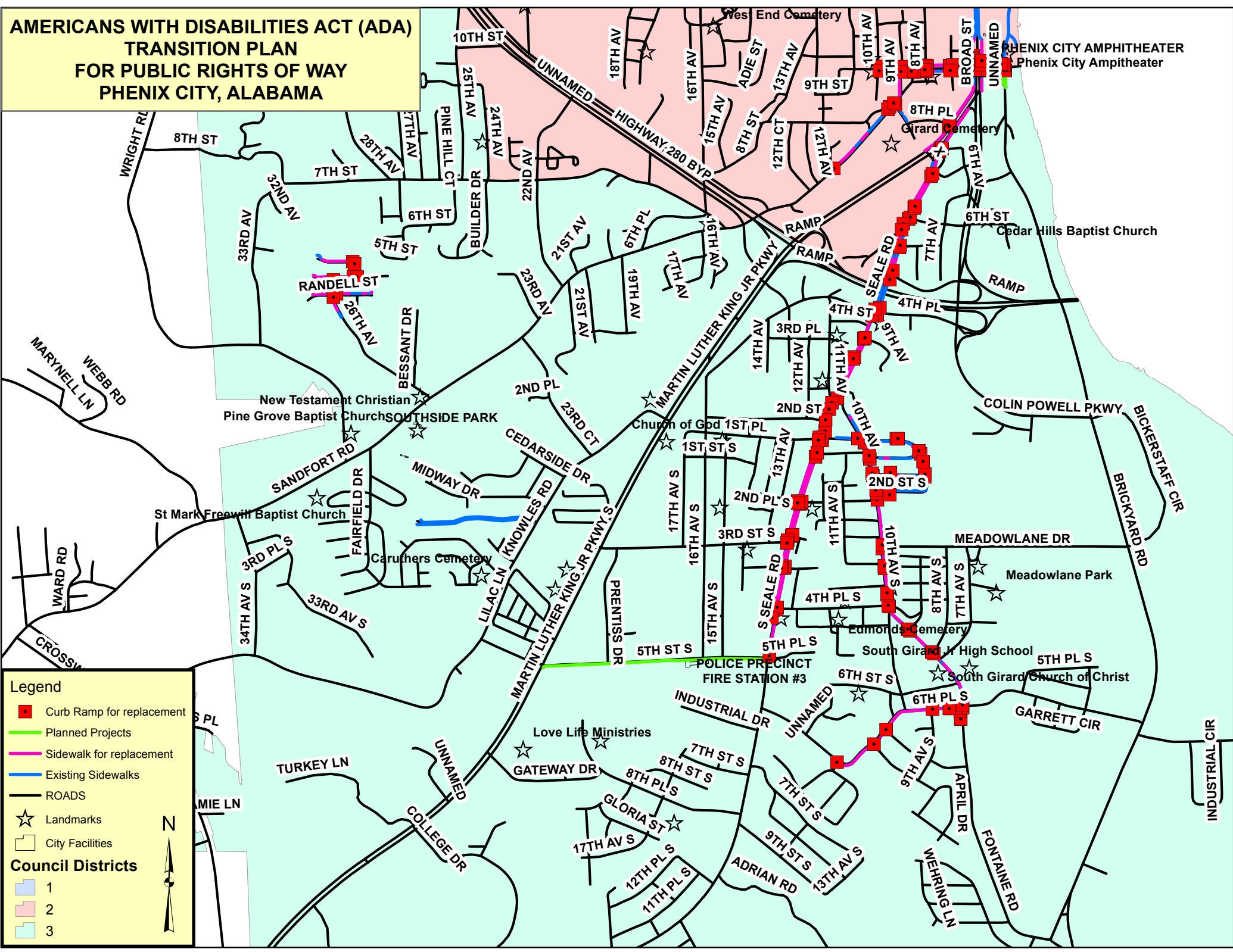
- Curb Ramp for replacement
- Planned Projects
- Sidewalk for replacement
- Existing Sidewalks
- ROADS
- ☆ Landmarks
- City Facilities

Council Districts

- 1
- 2
- 3

N

**AMERICANS WITH DISABILITIES ACT (ADA)
TRANSITION PLAN
FOR PUBLIC RIGHTS OF WAY
PHENIX CITY, ALABAMA**



Legend

- Curb Ramp for replacement
- Planned Projects
- Sidewalk for replacement
- Existing Sidewalks
- ROADS
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