



HUNTINGTON, INDIANA

Americans with Disabilities Act **Self-Evaluation and Transition Plan - Update**



FINAL VERSION

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Prepared by:



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List of Abbreviations/Acronyms

AASHTO – American Association of State Highway and Transportation Officials
ABA – Architectural Barriers Act of 1968
ADA – Americans with Disabilities Act of 1990
ADAAG – 1991 ADA Accessibility Guidelines
ADASAD – 2010 Americans with Disabilities Act Standards for Accessible Design
ALS/ALD – Assistive Listening System/Assistive Listening Device
ASL – American Sign Language
CDBG – Community Development Block Grant
CFR – Code of Federal Regulations
DOJ – U.S. Department of Justice
DOT – U.S. Department of Transportation
DW – Detectable Warnings
FHWA – U.S. DOT Federal Highway Administration
HR – Human Resources Department
INDOT – Indiana Department of Transportation
ISA – International Symbol of Accessibility
IT – Information Technology
MUTCD – Manual on Uniform Traffic Control Devices
NVDA – Non-Visual Desktop Access
OPDMD – Other Power-Driven Mobility Devices
PAR – Pedestrian Access Route
PCA – Pedestrian Circulation Area
PROWAG – Accessibility Guidelines for Pedestrian Facilities within Public Right-of-Way
RA – Rehabilitation Act of 1973
ROW – Right-of-Way
SETP – Self-Evaluation and Transition Plan
TDD – Telecommunications Devices for Deaf Persons
TS – Turning Space
UFAS – Uniform Federal Accessibility Standards
VP – Video Phone
VRI/VRS – Video Remote Interpretation/Video Relay System
WAI – Web Accessibility Initiative
WAVE – Web Accessibility Evaluation Tool
WCAG – Web Content Accessibility Guidelines

Executive Summary

The Americans with Disabilities Act (ADA) is a comprehensive Federal civil rights statute enacted in 1990. Comprised of five major parts, or “titles”, the ADA’s stated purpose was to provide a “clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities”. It is estimated by the U.S. Census Bureau that over 50 million U.S. residents have a disability, and over 50% of senior citizens age 65 or older have a disability. Title II requires that all public entities with 50 or more employees perform a self-evaluation, prepare a transition plan, make the transition plan available for three years, publish a notice of non-discrimination, designate an ADA Coordinator, and develop a formal complaint form and grievance procedure.

The City of Huntington (City) completed a full self-evaluation and transition plan (SETP) project in 2012-13 that included the self-evaluation of all City facilities, including facilities within the public right-of-way (ROW), programs, policies, and procedures, and preparation of a Transition Plan. This update to the original SETP is intended to evaluate limited areas of facilities that have been altered since the 2013 plan was adopted, evaluate areas of new facilities that house City programs, and update the programs and policy review based on what is currently in place.

The City has made efforts over the years to improve accessibility, including contracting a consultant to assist with meeting their ADA compliance obligations for both the initial SETP and this updated plan, and making improvements specifically to improve accessibility based on the recommendations of the 2013 SETP. The scope of the facility evaluations was limited as noted below for the facilities included in this update. Many accessibility issues noted in the 2013 SETP should be assumed to remain in need of corrective action to meet the 2010 ADA Standards for Accessible Design (ADASAD). These areas were assessed at the following City facilities in 2023:

City Facilities (Owned, Leased, or Hosting Programs)

- City Hall – complete evaluation of all public areas and employee common use areas.
- City Services – all public areas and employee common use areas in this new construction facility.
- Police – all public areas at the new Police Station.
- Schenkel Station – all public areas.
- Drover Park – drinking fountain, splash pad, and sidewalk to the restrooms only.
- Elmwood Park – drinking fountains and new accessible route to the southwest shelter and to restrooms from ball field and the play area.
- Erie Heritage Park – full review of interior paths, gazebo, etc., no facilities present in 2012.
- Rotary Centennial Park – full review, new park.
- Hier’s Park – new parking area near restroom, drinking fountain, and new/altered sidewalks around the play area and to the east of the play area to parking area.
- General Slack Park – drinking fountain and altered sidewalks between the restroom and playground only.
- Laurie Park – drinking fountain and altered sidewalks around the pavilion and playground only.
- Memorial Park – all new sport courts, parking, restrooms, drinking fountain, and accessible routes at the north end of the park and lower playground at the south end of the park.
- Sunken Gardens/Shakespeare Gardens – new Charters of Freedom veteran’s memorial area and new connecting accessible routes only, including new bridge over the drainage channel.
- Yeoman Park – new accessible routes, connections to parking areas, parking area at the south near soccer field, and new parking lot at skate park.

- Barks & Rec Dog Park – complete evaluation of all facility features.
- General overview and review of drinking fountains at all parks
- Public Parking lots – review of Lots 2-7 and new public lot in the southwest quadrant of E. Market Street and N. Briant Street.
- On-Street Parking – review of all on-street parking for compliance with number of accessible parking spaces per block and proximity to required access to the pedestrian access route (sidewalk).

This Transition Plan update, combined with previous findings from the 2013 SETP, outlines the necessary steps to become compliant with the requirements of Title II of the ADA. The City will strive to ensure that all residents and visitors are able to access all services, programs, and activities, and will promptly investigate any formal grievance filed according to the grievance procedures outlined. Additionally, the City will strive to include annual budgetary allotments to make required improvements that will eventually make the various facilities fully accessible, with emphasis given to the improvements that most impact the ability of persons with disabilities to access facilities or programs. Where access cannot be attained, an alternate means to offer the same opportunities to persons with disabilities should be provided.

In addition to City facilities, the self-evaluation reviewed existing City policies and procedures within each department. The focus of this review began with distribution of a questionnaire to each department, followed by interviews or other data gathering if needed to better understand the responses or the operation of each department. Key items reviewed within each department included ADA-specific training of employees, past interaction and accommodation of persons with disabilities, review of publications produced by each department, and staff suggestions to help them accommodate persons with disabilities. Following this review, recommendations were made to improve accessibility of programs for each department.

It is the goal of the City to make facilities for all services, programs, and activities fully accessible within 20 years, though this will be largely dependent on a number of economic factors and future changes to the ADASAD or other unforeseen requirements that would necessitate additional improvements to City facilities. The City has committed to provide training for staff on the requirements of the ADA and make accommodations for employees with disabilities, many of which can be done without costly architectural renovations. The Transition Plan will be reviewed and updated periodically to ensure the City is fully compliant with ADASAD and Title II.

The self-evaluation update identified architectural barriers at City facilities within the limited areas of the scope of review. The estimated cost to correct these deficiencies is nearly **\$650,000**, with additional costs for the pedestrian right-of-way facility deficiencies identified in the 2013 Transition Plan that have not already been addressed. In some cases, the cost of corrective action could not be defined due to additional investigation being needed that is outside the scope of an ADA self-evaluation. Investigation of structural walls, plumbing and other utilities within walls, compliance with plumbing and other codes, etc. are examples of additional investigations that might make estimating costs impossible as part of this plan. The degree to which these barriers limited accessibility and their priority for corrective action was subjectively categorized as “High”, “Medium”, or “Low”. “High” priority included barriers that effectively prohibited access to a service or program or present a safety hazard. “Medium” priority included barriers that either partially prohibited access or made it quite difficult. “Low” priority barriers typically do not limit access but are not compliant with standards. In some cases, the priority was adjusted based on the type of facility and proximity to high use areas. The improvements will be categorized into a 20-year phasing program to spread out the cost for implementation and address the most serious deficiencies at the most used City facilities. The actual implementation schedule, budgeting, and prioritization is up to the administration and is likely to be

impacted by complaints, new regulations and requirements, and availability of funding. Note that these costs are to resolve accessibility issues by making architectural improvements and in many instances, there are procedural changes or other modifications that can be made to provide equal access to City programs. Additions and some modifications are not required until renovations are completed. These modifications are noted within this report.

The City welcomes input on the contents of this Transition Plan at any time. Comments, requests, suggestions, etc. should be provided to Ronda Smelser, at (260) 356-1400 x 2004 or email at Ronda.Smelser@huntington.in.us.

The statements and findings contained in this Transition Plan and supporting information are the opinion of DLZ based on our knowledge and interpretation of ADA requirements. Nothing in this document should be considered as legal advice. Clients are urged to seek appropriate legal assistance as needed on ADA issues. Some links provided within this document may be outdated due to recent changes in the web address.

1

Introduction and Overview



1.0 Introduction and Overview

1.1 Introduction

The [Americans with Disabilities Act of 1990](#) (ADA), enacted on July 26, 1990, is a Federal civil rights statute, under the jurisdiction of the United States Department of Justice (DOJ), which provides civil rights protection to qualified individuals with disabilities in the areas of employment, public accommodations, state and local government services, transportation, and telecommunications. The DOJ is the lead agency that oversees the ADA. The ADA itself is not enforceable by any state or local governmental unit code official. The law states its purpose is “to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities”. Similar protections are provided by Section 504 of the Rehabilitation Act of 1973. The ADA was signed into law by President George Bush on July 26, 1990, extending civil rights protections to individuals with physical or mental disabilities in the following areas:

1. **Title I** – Employment (all Title II employers and employers with 15 or more employees)
2. **Title II** – Public Services (state and local government, including public school districts and public transportation)
3. **Title III** – Public Accommodations and Services operated by Private Entities
4. **Title IV** – Telecommunications
5. **Title V** – Miscellaneous

Huntington is located within Huntington County in northeast Indiana (Figure 1-1), southwest of Fort Wayne. The City had a population of 17,022 at the 2020 Census and contains a total land area of approximately 9.5 square miles. The City is classified as a “public entity” pursuant to Title II of the ADA and is also required to comply with Title I, which requires state and local government entities to practice non-discrimination in all parts of the employment process.

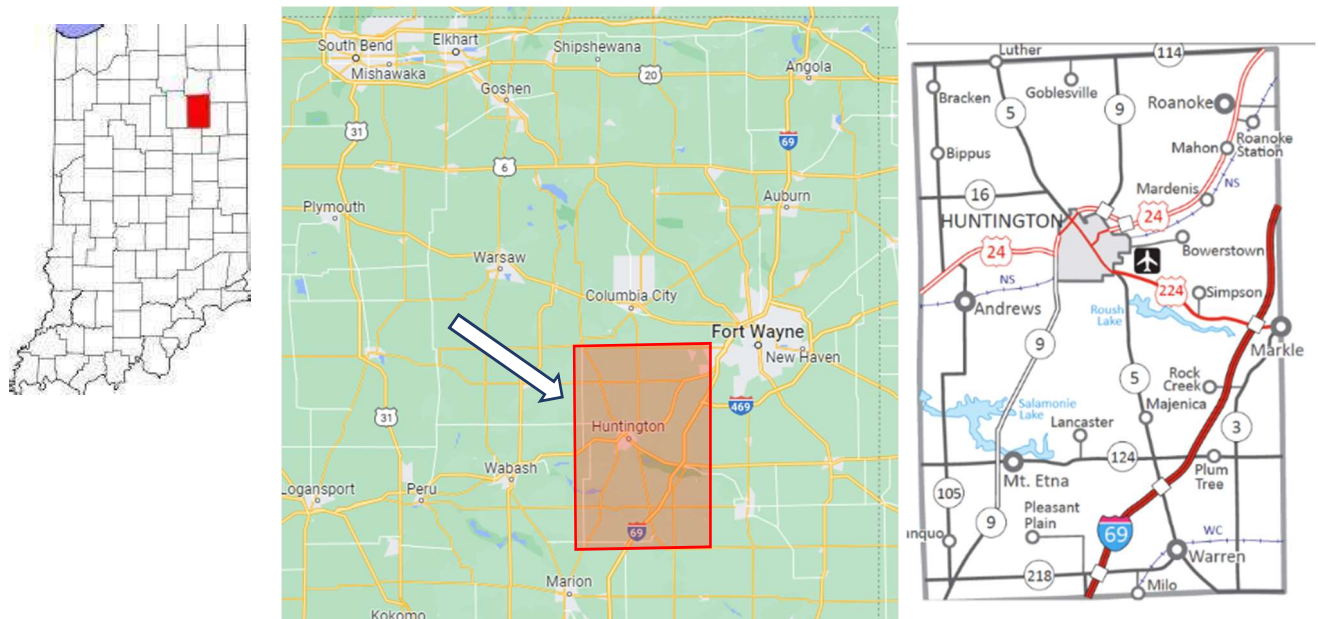


Figure 1-1 – City of Huntington Location Map

1.2 Purpose

The Code of Federal Regulations (CFR) is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal government. It is divided into 50 titles that represent broad areas subject to Federal regulation. Each volume of the CFR is updated once a calendar year and is issued on a quarterly basis.

Relative to the ADA, on July 26, 1990, the DOJ issued rules implementing Title II, which is codified at [28 CFR Part 35](#), and applies to Huntington. Title II requires state and local governments to make their programs and services accessible to persons with disabilities. This requirement extends not only to physical access at government facilities, programs, and events, but also to policy changes that state and local governmental entities must make to ensure that all people with disabilities can take part in, and benefit from, the programs and services of state and local governments.

The ADA regulations [ref. U.S. DOJ [28 CFR Part 35, Subpart A, 35.105 and 35.150\(a\) and \(d\)](#)] require state and local governments to conduct a self-evaluation of their programs and services to identify barriers to access. One of the fundamental reasons for performing the self-evaluation is to identify potential problems before they occur, so that discrimination complaints won't be necessary. By identifying the policies, programs, services, and activities that do not comply, the City can take action to remove those barriers to ensure that the City is not discriminating against individuals with disabilities. Title II of the ADA stipulates that Huntington is required to perform six administrative responsibilities:

The City is committed to complying with the tenets of Title II of the ADA of 1990, and other Federal and state statutes and regulations intended to make City-owned and operated facilities, programs, services, and activities accessible to persons with disabilities. This ADA Self-Evaluation & Transition Plan (SETP) establishes a new benchmark for compliance with ADA and identify a plan to remove barriers.

1.3 Transition Plan Overview

Huntington became aware of the need to be in full compliance with the requirements of the ADA by the Indiana Department of Transportation (INDOT), who sent letters to all local public agencies requiring them to have a compliant ADA Transition Plan to remain eligible for federal funding. The City responded by contracting with

TITLE II ADMINISTRATIVE RESPONSIBILITIES

Title II of the ADA stipulates that the Title II entities are required to perform six administrative responsibilities as part of the transition plan process:

- Publicize the name and contact information of the designated ADA Coordinator responsible to oversee compliance [[28 CFR 35.107 \(a\)](#)]
- Administer and write a self-evaluation of the programmatic barriers in services offered by the local government and provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments on the transition plan [[28 CFR 35.105](#)]
- Publicize and inform applicants, participants, and beneficiaries of the policy of non-discrimination on the basis of disability related to City services, programs, and activities [[28 CFR 35.106](#)]
- Establish a complaint/grievance procedure to respond to complaints of non-compliance from the public [[28 CFR 35.107 \(b\)](#)]
- Develop a transition plan if structural changes are necessary for achieving program accessibility [[28 CFR 35.150 \(a\) and \(d\)](#)]
- Retain the self-evaluation and provide it for public inspection for three years [[28 CFR 35.105 \(c\)](#)]

DLZ Indiana, LLC, to assist in 2012-2013 with the original SETP and again in 2023 when INDOT sent similar letters to local agencies requiring an update to their existing SETP be prepared.

The SETP for City-owned and operated facilities for compliance with ADA has been previously completed for all public areas of existing facilities, except for facilities that the City did not own at the time of the 2013 SETP. Facility audits have been performed only in those areas open to the public, with employee common-use areas being reviewed only in the new City Annex. Other areas within City-owned facilities that are not accessible to the public must also be accessible for employees with disabilities as a requirement of Title I. Accessibility in employee work areas will need to be assessed on a case-by-case basis based on the needs of the individual and nature of their disability. The City is committed to ensuring that all workspaces are accessible pursuant to the requirements of each job and making the necessary modifications and reasonable accommodations when needed for a disabled employee to perform essential job functions. Data for City public ROW was collected and was analyzed in detail for compliance with the 2011 Proposed Accessibility Guidelines for Pedestrian Facilities within Public Right-of-Way (PROWAG) during the 2013 SETP project, with review in 2023 including only an updated review of on-street parking within the downtown business district. It should be noted that there have been changes to PROWAG since 2012, including it being adopted with a number of changes from the 2011 proposed guideline and it having the final rule published in the Federal Register, with the updated PROWAG standards being required to be met effective September 7, 2023.

All the recommendations in this plan for structural or programmatic solutions to facilitate the opportunity of access to all individuals are subject to review, revision, and approval of the City Council and appropriation of funding to implement the improvements. These recommendations are intended to serve as the transition plan and framework for implementation.

This transition plan update is an on-going, dynamic document that will need periodic review and updating. In particular, additional evaluations will be required when updates are made to the ADA or supporting statutes, existing accessibility guidelines change, or new guidelines are established. In its efforts to maintain compliance, the City has several mechanisms in place to provide for an ongoing update of the transition plan:

- Designated ADA Coordinator is empowered with oversight responsibility for implementation of the requirements of the ADA.
- Implementation activities will be part of the City's annual Capital Improvement Plan and other budgetary allotments for various improvements required.

1.4 Legislative Background & Framework

For more than 50 years, Huntington has been subject to many of the non-discrimination provisions contained in the ADA. Significant precursory legislation to the ADA includes the [Architectural Barriers Act of 1968](#) (ABA) and [Section 504 of the Rehabilitation Act of 1973](#) (RA).

Congress' first significant effort to address discrimination on the basis of disability was its enactment of the ABA, which provided that all buildings constructed, altered, leased, or financed by the U.S. Government shall be accessible to, and usable by, individuals with physical disabilities.

Section 504 of the Rehabilitation Act states: "No otherwise qualified individual with a disability in the United States shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under

any program or activity conducted by any Executive Agency”. It also requires Federal agencies to provide accessible programs and facilities.

The ADA was effective on January 26, 1992 and modeled after Section 504. The ADA applies to state and local government entities, public accommodations, public transportation, and commercial establishments. The key points of understanding for ADA are:

- The ADA is fundamentally civil rights legislation. This legislation protects the rights of people with disabilities in employment, transportation, public accommodation, and access to services offered to the public.
- The ADA addresses facility access and access to programs and services. Buildings are required to be accessible and the activities that are offered inside and outside those buildings also must be accessible.
- Outdoor recreation standards as they relate to ADA for a variety of facilities were included in the 2010 ADASAD. Standards for amusement rides, boating and fishing facilities, exercise machines and equipment, golf and miniature golf facilities, play areas, and swimming/wading pools and spas went into effect on March 15, 2012, for all new or altered facilities.

The primary focus of this SETP updates is to assess the compliance of new and altered areas of City facilities, programs, policies, services, and activities related to Title II of the ADA.

Governmental entities must ensure effective communication, including the provision of necessary auxiliary aids and services, so that individuals with disabilities can participate in civic functions. Public entities are not required to take actions that would result in undue financial and administrative burdens. However, they are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided.

One important way to ensure that Title II's requirements are being met in communities of all sizes is through self-evaluation, which is required by the ADA regulations. Self-evaluation enables local governments to pinpoint the facilities, programs, and services that must be modified or relocated to ensure that local governments are complying with Title II requirements of the ADA. A public entity that employs 50 or more employees must retain its self-evaluation for a minimum of three (3) years.

1.5 Facility Access versus Program Access

The ADA addresses two types of accessibility:

- Facility accessibility
- Program accessibility

Facility accessibility requires that a building or structure be physically accessible. Individuals with disabilities cannot be provided access to programs, services, and activities if a building is inaccessible. Program accessibility includes facility accessibility, but also means that a person with a qualified disability receives the same benefits from a program or service and has an equal opportunity to participate as any other participant. The ADA requires all City programs, but not all City buildings, to be accessible. The regulation implementing Title II, 28 CFR Part 35 (as amended September 15, 2010) contain two “safe harbor” provisions. Under the first “safe harbor” provision, elements of existing facilities that already comply with either the 1991 ADA Accessibility Guidelines (ADAAG) or Uniform Federal Accessibility Standards (UFAS) are not required to comply with the 2010 ADA Standards unless they were altered on or after March 15, 2012. Under the second

“safe harbor” provision elements comprising a path of travel to an altered primary function area are not required to comply with the 2010 ADA Standard merely as the result of an alteration to a primary function area, provided those elements comply with the 1991 ADA Standard or UFAS.

There is some flexibility with regard to program accessibility. Not every building (or each part of every building) needs to be accessible. Structural modifications are required only when there is no alternative available for providing program access.

The City is required to provide program access, which means that programs, services, and activities when viewed in their entirety, are readily accessible to and usable by individuals with disabilities. When choosing a method of providing program access, the City will give priority to the one that results in the most integrated setting appropriate to encourage interaction among all users, including individuals with disabilities. In accordance with Title II program accessibility requirements, the City is required to:

- Provide equal access to programs, services, and activities as provided to other members of the community. [[28 CFR 35.130\(a\)-\(b\)\(1\) \(vii\)](#)]
- Provide programs, services and activities in an integrated setting, unless separate or different measures are necessary to ensure equal opportunity. [[28 CFR 35.130\(b\)\(2\); \(d\)](#)]
- Absorb any costs necessary to ensure nondiscriminatory treatment, such as making modifications required to provide program accessibility or providing qualified interpreters. [[28 CFR 35.130\(f\)](#)]
- Allow a person with a disability to participate in a program, service or activity regardless of disability. [[28 CFR 35.130\(g\)](#)]
- Eliminate unnecessary eligibility standards or rules that deny individuals with disabilities an equal opportunity to enjoy programs, services or activities unless necessary for the provisions of the program, service or activity. [[28 CFR 35.130\(b\)\(8\)](#)]
- Modify policies, practices, or procedures that deny equal access to individuals with disabilities [[28 CFR 35.130\(b\)\(7\)](#)]
- Furnish auxiliary aids and services when necessary to ensure effective communication. [[28 CFR 35.160\(b\)\(1\)-\(2\)](#)]
- Provide appropriate signage and structural communication to inform and alert individuals with visual, mobility, and hearing disabilities. [[28 CFR 35.163](#)]
- Eliminate physical barriers to programs, services, and activities by remodeling existing facilities, constructing new facilities, or moving programs, services or activities to an accessible location. [[28 CFR 35.150\(b\)\(1\)](#)]
- Ensure that newly constructed or altered buildings and facilities are free of physical and communication barriers that restrict accessibility of people with disabilities. [[28 CFR 35.151](#)]

1.6 Undue Burden

The City does not have to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity, would create a hazardous condition for other people, or would represent an undue financial and administrative burden. A fundamental alteration is a change to such a degree that the original program, service, or activity is no longer the same. For example, assume that a community sponsors college-level classes that may be used toward a college degree. To be eligible to enroll, an individual must have either a high school diploma or a General Educational Development certificate (“G.E.D”). If someone lacks a diploma or G.E.D. because of a cognitive disability, it is unlikely that the community would have to

alter the requirement to provide equal access. Modifying the rule would change the class from college level to something less than college level and would fundamentally alter the original nature of the class.

The determination that an undue financial burden would result must be based on an evaluation of all resources available for use in a program. For example, if a barrier removal action is judged unduly burdensome, the City must consider other options for providing access that would ensure that individuals with disabilities receive the benefits and services of the program or activity.

1.7 ADA Self-Evaluation and Transition Plan Requirements

The purpose of this ADA SETP is to document the City's review of access to facilities, programs, services, and activities by individuals with disabilities in order to determine if there are any discriminatory or potentially discriminatory practices, policies, or procedures.

In accordance with the Title II requirements for self-evaluation, the City:

- 1) Identified all the public entity's programs, activities, and services. [[28 CFR 35.105\(a\)](#)]
- 2) Reviewed all the policies and practices that govern the administration of the City's programs, activities, and services. [[28 CFR 35.105\(a\)](#)]

If structural changes are identified to provide program accessibility as part of the self-evaluation, the ADA identifies specific elements to be included in the transition plan. At a minimum, the elements of the transition plan are:

- 1) A list of the physical barriers in the City's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities. [[28 CFR 35.150 \(d\)\(3\)\(i\)](#)]
- 2) A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible. [[28 CFR 35.150 \(d\)\(3\)\(ii\)](#)]
- 3) The schedule for taking the necessary steps to achieve compliance with Title II of the ADA. If the time period for achieving compliance is longer than one year, the plan should identify the interim steps that will be taken during each year of the transition period. [[28 CFR 35.150 \(d\)\(3\)\(iii\)](#)]
- 4) The name of the official responsible for the plan's implementation. [[28 CFR 35.150 \(d\)\(3\)\(iv\)](#)]

1.8 Self-Evaluation and Transition Plan Process

A work plan and method to assess City-owned and operated facilities, programs, policies, services, and activities for compliance with the ADA will be implemented to complete the ADA SETP. This work plan included:

- Facility audits in limited facilities and areas of those facilities
- Self-evaluation of City programs, services, and activities
- Confirming the City has met all administrative procedures
- Identify required/suggested training for City staff
- Prioritize facilities improvements for accessibility
- Develop transition plan
- Adoption

Recommendations included in the SETP update are intended to serve as the transition plan and framework for implementation. All the recommendations in the plan for structural or programmatic solutions to

facilitate the opportunity of access to all individuals are subject to review, revision, and approval of the City Council.

1.9 Facility Audit

In 2012, audits of building and facility interiors and exterior site features were performed by DLZ staff. The building and facility audits in 2012 included only those areas of each that are open to the public. Review of limited areas of these facilities, in addition to review of the new Police, City Services, Barks and Rec Dog Park, and Schenkel Station, was completed in 2023. The reviews identified physical and architectural barriers and provided recommendations to comply with Federal accessibility requirements. The locations of City facilities that were reviewed in 2023 (by number) are shown on Figure 1-2; addresses for each can be found in the appendix. In addition to facilities that were evaluated, additional facilities have had no alterations to correct access issues noted in the 2013 SETP.

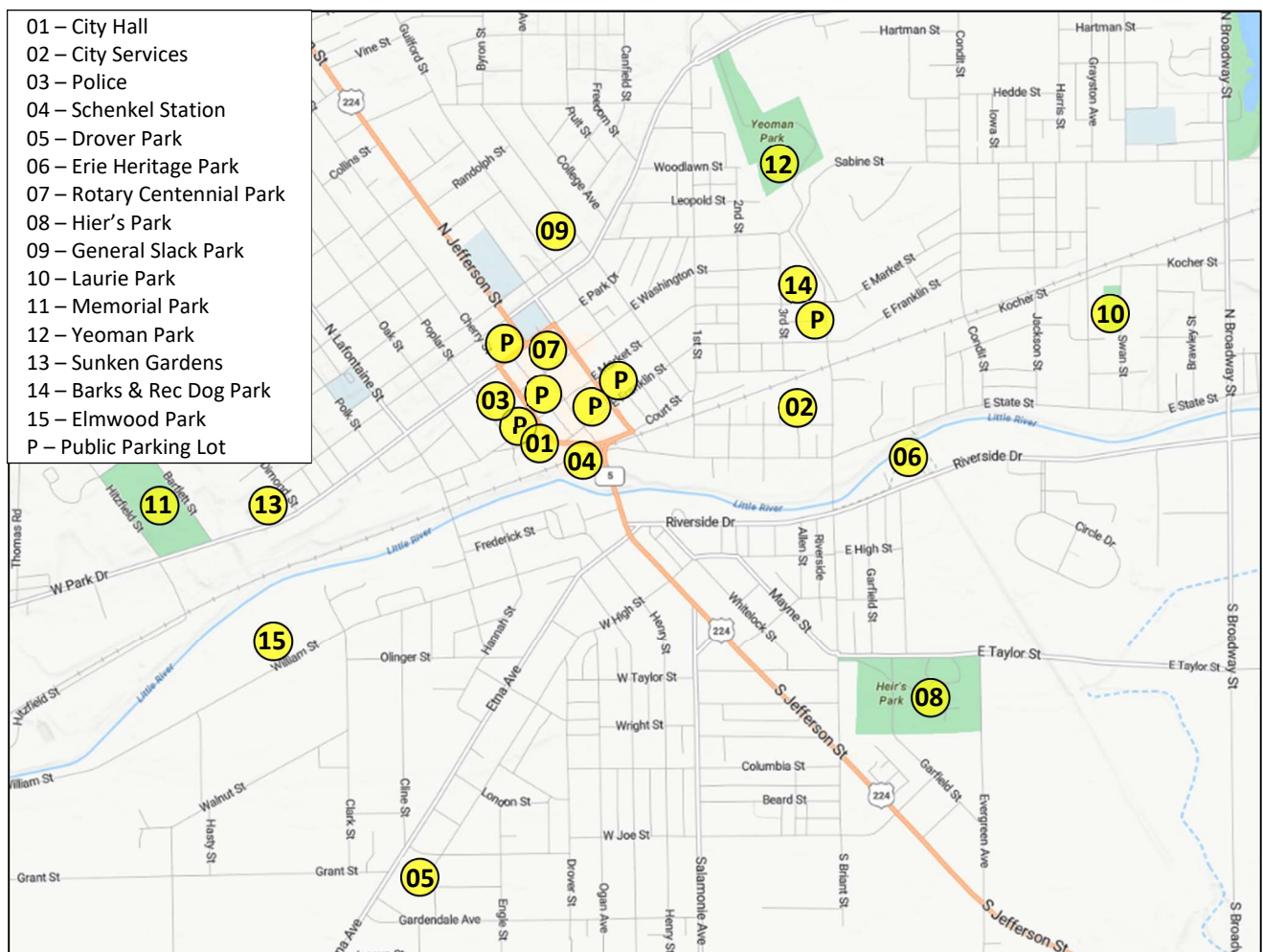


Figure 1-2. Huntington Facilities Location Map.

Photographs of architectural and site conditions at the time of inspections for building amenities were taken for the record. The specific site and architectural improvements recommended to remove barriers and improve accessibility will be listed in the Transition Plan appendices. In addition, the City is responsible for facilities within the public ROW within the City, which were reviewed for the 2013 SETP project. The only

ROW facilities reviewed for this updated Transition Plan were on-street parking within the downtown business district.

1.10 City Administration and Departments

The City is governed by four branches of government: Executive, Legislative, Fiscal, and statutory Boards and Commissions. The Mayor is the city executive and head of the Executive Branch. Within this branch also is the Board of Public Works & Safety (BPWS), comprised of five members: the Mayor, City Council president, and three representatives appointed by the Mayor. The Board is the chief administrative body of the City and has control of the day-to-day operations of the City's various departments. Huntington is governed by the City Council is comprised of seven members, five of whom are elected from districts and two who are elected at large. The Council approves all budgeted expenditures by the City and also considers all resolutions and ordinances of the City.

There are a number of departments that provide City services, programs, and activities that are accessible to the public. The level of interaction of each Department is classified as extensive (high numbers daily), regular (variable but generally low numbers daily to weekly), limited (generally weekly or less), or none. These Departments and descriptions of their functions and types and regularity of interaction with the public are:

- **Mayor's Office (300 Cherry Street, 3rd Floor)** – The Mayor's Office has the responsibility for a number of day-to-day functions for City government. The Mayor is the chief executive officer of the City and is responsible for all operations of the city departments. The Mayor appoints heads of the executive departments and many board and commission members and presides over the Common Council and Board of Public Works and Safety meetings. The Mayor is responsible for enforcing the ordinances of the city and the statutes of the state; ensuring efficient government of the city; filling vacancies in city offices when required; signing all bonds, deeds, and contracts of the city; and approving or vetoing ordinances, orders, and resolutions of the Common Council. The Mayor's Office has extensive interaction with the public.
- **City Services (634 Webster Street)** – The City Services Office delivers effective and efficient services to residents, with the goal of improving quality of life for everyone in Huntington. City Services is comprised of three departments, which have extensive public interaction (except for Landfill, which is minimal):
 - 1) **Parks & Recreation** – Huntington's park system includes a variety of facilities for both active and passive activities. The growing network of trails offers residents the chance to bike, walk, or run while enjoying scenic views.
 - 2) **Landfill** – The Huntington City Landfill permanently closed in March 2019 and no longer accepts solid waste. Solid waste is managed by the Huntington County Solid Waste District, but the City still performs maintenance and an office at the landfill, located at 515 S. 300 W.
 - 3) **Streets** – The Street Department performs maintenance and improvement of City streets, yard waste management, administration of contracted trash/recycling services, winter snow/ice removal, and more.
- **Human Resources (300 Cherry Street, 2nd Floor)** – The City's Human Resource Department provides support services through the administration of employee benefits and daily operations. The Department oversees all aspects of insurance, including health, disability, AD&D, as well as reimbursement accounts. In addition, the Human Resource Department maintains the employee handbook, organizes employee orientations and training sessions, maintains the city's job descriptions and employee files, and initiates problem resolution. Interaction with the public is extensive and this office has the additional requirement of ensuring ADA Title I and Title II compliance. The HR Director is the ADA Coordinator for the City. The HR Department is located on the 2nd floor of City Hall.

- **Airport (1365 Warren Road)** – The City contracts for management of the airport with a private entity, which has limited interaction with the public. Duties of this office include supporting the operation of the Board of Aviation Commissioners and the day-to-day operations of Huntington Municipal Airport.
- **Clerk-Treasurer (300 Cherry Street, 2nd Floor)** – The Clerk-Treasurer acts as chief financial officer of the City of Huntington and has extensive public interaction. Located in the City of Huntington’s business office, the Clerk-Treasurer handles a variety of duties for the city, including accounting, payroll, and budget management. In addition, the Clerk-Treasurer is the Secretary for the City Common Council and the Board of Public Works and Safety, preparing agendas and minutes.
- **Community Development and Redevelopment (300 Cherry Street, 2nd Floor)** – The Community Development and Redevelopment Department is a full-service land use and development department, including planning, zoning, building, and redevelopment services. The Department works alongside a number of other City Departments, elected officials, local partners, and regional organizations to enhance the quality of life in our community, neighborhood by neighborhood, for everyone's benefit. This is accomplished through the oversight of development related activities for all property located within the corporate limits. Interaction with the public is regular.
- **Public Works & Engineering Services (300 Cherry Street, 2nd Floor)** – The City Engineering Office serves citizens by enhancing the City’s infrastructure through planning, design, funding, and construction management for public works projects within the City of Huntington and ensures compliance with access and drainage requirements. This includes sidewalk improvements, street paving, traffic signals, storm sewers, and water projects. Interaction with the public is regular.
- **Fire Department (747 Condit Street)** – The Fire Department provides 24-hour protection to residential as well as business properties and also provides emergency services, fire prevention, and education. In addition, the Fire Department supports other county departments by offering manpower and equipment through mutual aid agreements. These services are provided out of two fire stations: Fire Station #1 at 747 Condit Street (which includes the administrative offices) and Fire Station #3 at 1333 Etna Avenue. The Fire Department has extensive interaction with the public.
- **Police (450 Cherry Street)** – The Police Department provides police protection services in the City and has extensive public interaction. Dispatch services are now performed by Huntington County. The Police Department includes several divisions, with staff having extensive interaction with the public.
 - 1) Patrol – The largest and most visible division, officers in the Patrol Division operate three shifts around the clock.
 - 2) Investigations – Works to investigate and solve a variety of cases including theft, fraud, burglary, robbery, drug-related cases, and homicides.
 - 3) Records – Maintains all police reports and documents and provides copies to the public, courts, and media as required by law. The records office also does finger printing for employment, state background checks, daycare licensing, and any other reasons as needed.
 - 4) Ordinance Enforcement – Investigates and enforces City ordinances, including blight and other nuisances.
- **City Utilities (300 Cherry Street, 1st Floor)** – The department provides services for new service connections, transfers of service, or service termination for water and sewer, establishes trash & recycling services for residential customers, repairs and replaces meters, investigates water service issues, performs maintenance and repair of water lines and hydrants, performs meter reading, and provides monthly and annual water quality reporting. The department also bills and collects payments for utility services. The City Utilities office has extensive public interaction.

- **Communications (300 Cherry Street, 2nd Floor)** – The Communications Department works to engage with Huntington residents and keep them up to date on the important decisions made by city government. The department prepares and maintains the digital newsletter, Huntington Connect, website, and social media pages. The City Recorder has regular interaction with the public.
- **Water Pollution Control (20 Hitzfield Street Extended)** – The Water Pollution Control Plant provides wastewater treatment for the City of Huntington and parts of Huntington County. The plant removes harmful bacteria and other pollutants from wastewater before it is released into the Wabash River. The plant is capable of treating an annual average flow of 7.5 million gallons per day and a peak wet weather flow of 15 million gallons per day. Water Pollution Control has limited contact with the public.

1.11 Department Self-Evaluation

As part of this self-evaluation update, DLZ provided a questionnaire to the ADA Coordinator in order to better understand the operation and services offered by various City departments regarding ADA compliance. A second questionnaire was provided by the ADA Coordinator to some departments for additional information. A copy of the blank questionnaires is in Appendix C. Responses provided by each department were used to compile the information in this SETP. Policies, programs, activities, and services were evaluated, and in the case where policies are not currently in place, this report provides recommendations for the implementation of corrective actions to comply with the ADA. Refer to Section 2.19 Department Self-Evaluation - Findings & Recommendations.

1.12 Public Outreach

Public outreach was performed during the initial ADA Transition Plan development in 2012 and 2013, including a public information meeting in February 2013 and public hearing at the BPWS in July 2013. Information about the results of that outreach is contained in that document. It is suggested that the City advertise the availability of this updated Transition Plan and make it available for public review and comment on the City website.

The City welcomes input on the contents of their Transition Plan at any time. Comments, requests, suggestions, etc. should be provided to the ADA Coordinator, Ronda Smelser, at (260) 356-1400 x 2004, or email at Ronda.Smelser@huntington.in.us.

2

Self-Evaluation of City Policies, Services, Activities, and Programs – Findings & Recommendations



2.0 Self-Evaluation of City Policies, Services, Activities, and Programs - Findings & Recommendations

This section of the self-evaluation summarizes the review of current City-wide policies, services, activities, and programs based on correspondence with City staff and responses to the program accessibility questionnaire received from City departments and divisions. The findings and recommendations contained in this section will provide the basis for the implementation of specific improvements for providing access to City programs. Within the following sections, items quoted directly from a source are enclosed in quotes (“”) and italicized. In some cases, emphasis or special attention to portions of text is justified. In those cases, text is bolded and underlined as well (“**emphasis added**”). Some of the information provided in the following sub-sections was previously provided in the Phase 1 report.

2.1 Program Evaluation Interdepartmental Memo

The self-evaluation of the City's services, programs, and activities required and involved the participation of all City departments. Huntington City evaluated its policies, procedures, and programs to determine current levels of service and the extent to which its policies and programs created barriers to accessibility for persons with disabilities. DLZ distributed a questionnaire to the City contact as one measure to determine the level of ADA compliance. Some departments were also issued a department specific questionnaire (See Appendix C).

The primary purpose of the questionnaires was to allow DLZ staff to better understand how each department operates and the programs provided by each so that an accurate assessment can be made of architectural and procedural barriers and how each can be corrected to provide access. The level of investigation into the operations of the various departments was generally consistent with the amount of interaction with the public and the extent of the public programs offered by each. Note that the response rate to the questionnaire is often less than 100%. In some instances, the information provided below may not be accurate due to either lack of response to the questionnaire, inaccurate answers being provided on submitted questionnaires, or the lack of detail in some responses.

2.2 Overall Findings – General Policies and Practices

The self-evaluation of the Departments identified common accessibility issues between all City departments. The findings from the City departments can be organized into the following general categories:

- Public Information
- Designation of ADA Coordinator
- Grievance/Uniform Complaint Procedures
- Public Meetings
- Accommodations to Access Programs, Services, and Activities
- Special Events and Private Events on City Property
- Ordinances, Design Standards, and Other Documents
- Contracted Services and Contractors
- Customer Service, Satisfaction, and Input
- Equally Effective Communication
- Alternate Communication Formats
- Fees and Surcharges
- Information and Signage

- Staff Training
- Emergency Evacuation Procedures
- Employment
- Department Self-Evaluation Findings & Recommendations

The findings and recommendations in the following subsections generally apply to all departments except where noted.

2.3 Public Information

The City is required to notify the public of their rights and protections under the ADA ([28 CFR 35.106](#)), which states: *“A public entity shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of this part and its applicability to the services, programs, or activities of the public entity, and make such information available to them in such manner as the head of the entity finds necessary to apprise such persons of the protections against discrimination assured them by the Act and this part.”* In addition, notices regarding ADA should be included in a number of other situations to inform the public of their rights and opportunities to ensure accessibility, including signage directing the public to accessible routes and entrances.

Self-Evaluation General Findings:

- The City of Huntington BPWS formally appointed the HR Director as the ADA Coordinator at their regular meeting on June 17, 2013.
- A poster entitled ‘Equal Opportunity is the Law’, defining the requirements of Title VII, is posted in the HR Department in plain view.
- Public meeting agendas for City Council and BPWS meetings have an ADA compliance statement included that state, *“Any individual who requests accommodation as the result of a disability, please contact: HR/ADA Coordinator, City Building, 2nd Floor, 300 Cherry Street, Huntington, IN 46750, (260) 356-1400 ext. 2004 sufficiently in advance of the meeting so that reasonable accommodations can be arranged.”* This is an update from the 2013 SETP, when notices were not included on meeting agendas.
- Public meeting agendas (legal notices and notices sent to adjoining landowners) for the Board of Zoning Appeals, Historic Review Board, and Plan Commission have an ADA compliance statement included that states, *“Any individual who requests accommodation as the result of a disability, please contact: Community Development & Redevelopment, 300 Cherry Street, Huntington, Indiana 46750, (260) 356-5146, sufficiently in advance of the meeting so that reasonable accommodation can be arranged.”*
- The agenda for the November 2023 meeting of the Economic Development Commission included no accommodation statement.
- Signage directing visitors at City buildings along an accessible route is lacking and the International Symbol of Accessibility (ISA) is not present or in clear view at all accessible entrances, though there are limited entrances visible from public parking or the public ROW that are not accessible.
- The City has published an ADA Notice of Non-Discrimination to communicate policy towards persons with disabilities. It is available on the website at <https://www.huntington.in.us/city/departments/index.php?structureid=427#>. There is also a copy of the notice that can be downloaded that needs to have the name of the ADA Coordinator updated (Appendix C).
- The City adopted a Non-Discrimination Policy in 2013, which can be found on the City website at https://www.huntington.in.us/egov/documents/1676647035_38211.pdf.
- The website provides a dedicated ‘ADA/Title VI Coordinator’ page on the City Departments list. The page includes several ADA documents, including the 2013 Transition Plan and adopting resolution by City

Council, Non-Discrimination Policy Statement, ADA Notice, and link to the Mayor's Advisory Council on Community Accessibility, along with Civil Rights Act Title VI information.

- The City has a YouTube site (<https://www.youtube.com/@cityofhuntingtonindiana127>) that includes videos of some public meetings and other public information. Many of the non-meeting videos include closed captioning, including 'Huntington at 175 Years', '2023 State of the City Address', 'Jefferson Street Bridge Closures', and several episodes of Listen Online.
- The staff directory on the website identifies the ADA Coordinator.

Recommended Action:

- Standard language for a Notice of Nondiscrimination should be used by all departments for all City publications and printed materials. This statement should include, at a minimum, the following language: *"The City of Huntington acknowledges its responsibility to comply with the Americans with Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e., sign interpretative services, alternative audio/visual devices, and amanuenses) for participation in or access to City sponsored public programs, services and/or meetings, the City requests that individuals make requests for these services as early as possible but not less than three (3) business days ahead of the scheduled program, service and/or meeting. To make arrangements, contact Ronda Smelser, ADA Coordinator, at (260) 356-1400 x 2004."*
- Public notifications should always identify a contact person for individuals with disabilities who may request program modifications, or information on how a hearing or speech impaired person could communicate by telephone.
- Increase outreach to persons with disabilities by finding additional methods and formats to provide information about meetings and other City activities. The City should endeavor to inform the public of the possible modifications required to make its services, programs, and activities accessible.
- Non-discrimination language should appear on both hard copies and documents posted on the City website.
- List City agencies, departments, and specialized services that offer TDD/TTY in printed City directories.
- Consider having all requests for accommodation go directly to the ADA Coordinator rather than being dependent on which board/commission meeting the request is made for. Currently requests for planning boards and commissions go to Community Development & Redevelopment.
- Ensure that the request for accommodation statement is included on agendas/public notices for all public board and commission meetings.
- The ADA Coordinator should have a list of qualified individuals to contract for services to provide information in alternate accessible formats when individuals have had a request for accommodation.
- Signage directing visitors to City buildings should be placed along the accessible routes at locations that are clearly visible to minimize backtracking and the International Symbol of Accessibility (ISA) should be placed in clear view at all accessible entrances.
- The City should maintain an ad-hoc committee comprised of the ADA Coordinator and representatives from various departments, particularly those that have extensive interaction with the public or those that are responsible for various City facilities. The responsibilities of this committee can be reviewed and established internally in conjunction with the administration.
- Include the following notice on all materials printed by the City that are made available to the public: *"This publication can be made available in alternative formats, such as Braille, large print, audiotope, or .pdf. Requests can be made by calling (260) 356-1400 x 2004. Please allow at least 3 business days for your request to be processed."*
- Ensure that all live and recorded videos that are provided on the City's YouTube site include closed captioning.

- Provide ADA-related compliance documents on the website (see also Section 2.5).
- List City agencies, departments, and specialized services that offer Telecommunications Devices for Deaf Persons (TDD), video phone (VP), and Video Relay Interpretation/Video Relay System (VRI/VRS) in printed directories (see also section 2.5).
- Continue to maintain a dedicated page for accessibility and other civil rights issues on the City website (see also Section 2.5). Ensure that all relevant documents are provided on the page related to civil rights laws.

2.4 Designation of ADA Coordinator

The ADA regulations require any public entity with fifty (50) or more employees to designate at least one employee to coordinate ADA compliance ([28 CFR 35.107 \(a\)](#)). Federal regulations require public entities to make available to interested persons the name, office address and telephone number of the ADA Coordinator. The ADA Coordinator's role is to plan, coordinate, organize, facilitate, and promote compliance efforts. The Coordinator responds to requests for accommodations or barrier removal. The Coordinator also receives and investigates complaints and grievances.

Self-Evaluation Findings:

- The City of Huntington BPWS formally appointed the HR Director as the ADA Coordinator at their regular meeting on June 17, 2013.
- The website provides a dedicated 'ADA/Title VI Coordinator' page on the City Departments list. The page includes the name and contact information for the ADA Coordinator.

Recommendations:

- Information regarding the identity of the City's ADA Coordinator should continue to be provided to staff, posted at all City facility locations, incorporated into employee handbooks, staff and public phone directories, placed in frequently used publications, and on the City website.
- The designated ADA Coordinator should be familiar with the requirements of ADA and get appropriate training to ensure compliance by the City.
- It is strongly suggested that each department have one individual with knowledge of ADA issues that can respond to issues that arise within their department and assist the ADA Coordinator.
- It is recommended the City continue to publish the name, address, e-mail address and phone number of the Huntington City ADA Coordinator in appropriate public notices, agendas, and City publications frequently distributed to the general public. This information should be updated whenever there are changes in personnel.

2.5 Grievance/Uniform Complaint Procedures

A public entity that employs 50 or more employees must adopt and publish grievance procedures which provide for the prompt and equitable resolution of complaints alleging any action that would be prohibited by the ADA ([28 CFR 35.107 \(b\)](#)).

Self-Evaluation Findings:

- The City website includes a grievance policy that was developed during the 2013 Transition Plan project (www.huntington.in.us/egov/documents/1436299924_265472.pdf) and a Complaint Form. The procedure designates the ADA Coordinator as the person charged with completing the investigation of all grievances, outlines the process and timeline, and includes an appeal process. See Appendix D.

- An ADA Complaint Form has been prepared and is available to the public at the office of the ADA Coordinator (HR Department) and on the Huntington City web site (https://www.huntington.in.us/egov/documents/1373304001_292877.pdf). See Appendix D.

Recommendations:

- The City should ensure proper and comprehensive documentation and tracking of complaints is maintained by the ADA Coordinator. Centralized record keeping of such information will help the City to regularly update its compliance efforts, and plan for additional compliance implementation.
- Provide links to the grievance procedure and Complaint Form on the ADA/Title VI Coordinator page to make it easier to find.
- Ensure that all references to the ADA Coordinator are generic or if the name of the person is used in documents that the name is updated when the staff person serving in that capacity changes.
- The City should review its current administrative policy and be able to provide the ADA Complaint Form in an alternate accessible format, i.e., Braille, audio-tape, e-text, large print, etc.
- Administrative policies and procedures should continue to be developed, adopted, and implemented to provide consistency for filing complaints or grievances and record keeping.
- The City should make efforts to inform City staff and the general public of the name of the City's ADA Coordinator, grievance procedure, the steps for handling grievances, and the City policies for resolution of grievances.

2.6 Public Meetings

Public meetings are routinely held by various City departments, boards, and commissions. The ADA prohibits public entities from excluding persons with disabilities from programs, services, or activities offered by a public entity. The law does allow a public entity to use both structural and nonstructural methods to achieve accessibility to programs, services, and activities ([28 CFR 35.150 \(a\)\(1\); \(b\)\(1\)](#)). While most of the meetings are open to the general public and advertised as required by law, the public does not regularly attend several of the meetings of the groups noted.

Self-Evaluation Findings:

- The following boards/commissions meet at various times on City business and would be considered open meetings that can be attended by anyone: There are additional committees that involve City staff and/or elected officials, but do not have regular published schedules and may not be included below. Meetings are held in the Council Chambers on the 3rd floor of City Hall (300 Cherry Street) unless noted below.
 - City Common Council (second and last Tuesdays of the month)
 - Board of Public Works & Safety (the first and third Mondays of the month)
 - Plan Commission (4th Thursday each month)
 - Development Plan Committee (Community Development Conference Room, 2nd floor of City Hall, 2nd Tuesday monthly)
 - Subdivision Plat Committee (Community Development Conference Room, 2nd floor of City Hall, 2nd Tuesday monthly)
 - Board of Aviation Commissioners (Municipal Airport Conference Room, second Wednesday of each month)
 - Board of Zoning Appeals (1st Monday each month)
 - Historic Review Board (4th Monday each month)
 - Redevelopment Commission (Community Development Conference Room, 2nd floor of City Hall, 1st and 3rd Friday monthly)

- Economic Development Commission (Mayor's Conference Room, 3rd floor of City Hall, 1st Tuesday monthly)
- The Mayor hosts additional meetings of advisory task forces on specific issues, including the Mayor's Advisory County on Environmental Stewardship (MACES), Mayor's Advisory Council on Community Accessibility (MACCA), and the Mayor's Addiction Recovery Task Force. These groups are not decision-making bodies. The meetings are not formal public meetings and do not provide meeting agendas or minutes, but all are welcome to attend the monthly meetings. The City website provides information about each task force and additional details about their mission and information related to each at <https://www.huntington.in.us/city/topic/index.php?topicid=339&structureid=3>.
 - MACES – The mission of this Task Force is to improve the quality of life within Huntington through environmental stewardship by developing and researching initiatives, engaging and educating the public, and informally advising the city on environmental issues.
 - MACCA – Works to help increase public awareness with the goal of making the City more accessible for all of our residents and visitors.
 - Addiction Recovery Task Force – Task Force is comprised of substance abuse and mental health professionals, local law enforcement members and individuals in recovery. The task force works to build community partnerships, identify resources and best practices, and promote treatment-focused programs that can help individuals and families recover from addiction.
- Public meeting agendas for City Council and BPWS meetings have an ADA compliance statement included that state, *"Any individual who requests accommodation as the result of a disability, please contact: HR/ADA Coordinator, City Building, 2nd Floor, 300 Cherry Street, Huntington, IN 46750, (260) 356-1400 ext. 2004 sufficiently in advance of the meeting so that reasonable accommodations can be arranged."* This is an update from the 2013 SETP, when notices were not included on meeting agendas.
- Public meeting agendas (legal notices and notices sent to adjoining landowners) for the Board of Zoning Appeals, Historic Review Board, and Plan Commission have an ADA compliance statement included that states, *"Any individual who requests accommodation as the result of a disability, please contact: Community Development & Redevelopment, 300 Cherry Street, Huntington, Indiana 46750, (260) 356-5146, sufficiently in advance of the meeting so that reasonable accommodation can be arranged."*
- The agenda for the November 2023 meeting of the Economic Development Commission included no accommodation statement.
- City Council meetings are broadcast live on YouTube (www.youtube.com/@cityofhuntingtonindiana127/streams). There are videos of City Council and BPWS meetings recorded and available on the site also. None of the meetings provided captioning.
- The Council Chambers on the 3rd floor of City Hall has an ALS with 4 Listen Technologies LR-3200-072 devices and signage is provided that indicates the presence of the ALS. Most public meetings of the City are held in that space.
- Agendas and meeting minutes for the City Council and BPWS are available on the City website. Information for other City boards and commissions is also provided but was difficult to find, as users are not directed to agendas or minutes for other boards or commissions from the 'Meeting Center' page (<https://www.huntington.in.us/City/meetings/>) accessed from the home page. Boards and commissions are listed on the page, with links to agendas/minutes that direct users to the Document Center and yield no results.
- No requests for special accommodations, including American Sign Language or other interpreters, has been made at public meetings.

Recommendations:

- The City should continue to schedule and hold public meetings in the most accessible locations whenever possible. Meetings which the public regularly attends should be made the highest priority.
- Address the highest priority barriers to program access identified in the 2013 and 2023 self-evaluations.
- The City should develop procedures for providing auxiliary aids such as assistive listening systems and obtaining sign language interpreters, readers, descriptive services, and other assistive technologies when requested.
- The City should make reasonable modifications to enable individuals with disabilities to attend and participate in all public meetings.
- Provide meeting agendas and minutes in alternative formats when requested.
- The City should maintain a list of readily accessible meeting spaces to facilitate the scheduling of meetings and/or the relocation of meetings upon request.
- The City should create a simple checklist for creating accessible meetings and selection of accessible meeting spaces. This checklist should be utilized and available to all City departments for their programs and events.
- Ensure that agendas and minutes for City boards and commissions are provided in accessible formats on the website and ensure that they are relatively easy to find.
- Ensure that meetings hosted by the Mayor with the advisory task forces are advertised consistent with state law and to the intended target audiences.
- Ensure that a compliant ALS is maintained in the Council Chambers and the required number of listening devices are available. Ensure that there are also the required number of hearing-aid compatible listening devices available and that signage indicating the presence of the ALS is maintained.
- Other rooms used for meetings do not utilize audio amplification. If installed in the future, these rooms should also be equipped with an ALS and the appropriate number of assistive listening devices. The City should review which meetings are held in locations without audio amplification and consider the ability of someone with hearing loss to participate in those meetings.
- Standard language on all City publications regarding availability of and requests for accommodations should be provided to departments.
- Ensure that all live and recorded videos of public meetings of City boards and commissions include an option for closed captioning, including those on the City YouTube site.
- The public notices for meeting agendas should provide a specific duration for accommodation requests in advance of a meeting. The current statements on agendas and notices requests that contact be made "sufficiently" in advance of the meeting. This should be changed to 2-3 business days or similar timeframe that would allow the City to consider and provide the requested accommodation in advance of the meeting.
- Ensure that meeting agendas for all boards and commissions are posted and published in advance with enough lead time to allow persons that may require an accommodation to make such request. For example, publication of meeting notices/agendas late on a Thursday for a Monday meeting or similar timeframe around a weekend may not allow for adequate time for a person to realize they would like to attend a meeting based on an agenda topic and request an accommodation to allow them to participate.
- Consider modifications to the Document Center to make agendas and meeting minutes easier to find and that documents for all boards and commissions are provided on the website.



International Symbol of
Access for Hearing Loss

- The City should develop procedures for obtaining and providing auxiliary aids such as sign language interpreters, readers, descriptive services, and other assistive technologies. (See also section 2.11.)
- The City should make reasonable modifications to enable individuals with disabilities to attend and participate in all public meetings.

2.7 Accommodations to Access Programs, Services, and Activities

The ADA prohibits public entities from excluding persons with disabilities from programs, services, or activities offered by a public entity. A public entity may not adopt policies that are discriminatory or engage in practices that are discriminatory. This prohibition applies to policies that are explicitly exclusionary and to those which appear to be neutral but have discriminatory effect. The law does allow a public entity to use both structural and nonstructural methods to achieve accessibility to programs, services, and activities ([28 CFR 35.130 \(b\)\(3\)](#); [35.150 \(a\)\(1\)](#); [\(b\)\(1\)](#)).

Self-Evaluation Findings:

- There is no evidence of intentional discriminatory practices, intentional exclusion of individuals with disabilities, or practices to segregate individuals with disabilities or limit access to City programs, services, or activities.
- City staff have previously stated that individuals with mobility impairments (in a wheelchair) have been able to use the elevator to access the upper levels of the building.
- City staff cited many examples of accommodations that have been made by employees of the City to afford individuals with disabilities the opportunity to have equal access to programs, services, and activities (see Section 2-19).
- Public meetings are held in locations that are thought to be accessible to persons with mobility impairments and staff had no recollection of any previous complaints or issues.
- The City sponsors a variety of special events on City property, primarily through the Parks and Recreation Department and programs they offer. Examples include Daddy-Daughter Dances, Mother-Son Extravaganza, Spring Garage Sale, youth soccer, softball, Summer Parks and Recreation for Kids (SPARK), summer concerts, pickleball, craft shows, Yoga in the Park, Fishing Day at Memorial Park, Craft Days, and Great Pumpkin Hunt.
- The registration form for SPARK includes a request for the person completing the form to “*List any **physical limitations, health/behavioral problems, medications, allergies and any other information** our S.P.A.R.K. Directors need to be aware of during this program.*” It does not specifically request information about how to accommodate any of these types of issues.

Recommended Action:

- Information directing the public how to request accommodations should appear on all public notices, announcements, and public meeting agendas. All City departments and divisions should be provided with the City’s ADA compliance statement for accommodations.
- Front line staff such as administrative assistants, receptionists, and staff that has everyday contact with the public, should receive training on interacting and accommodating individuals with disabilities. This would include various scenarios for interacting with persons with hearing loss, including when writing notes back and forth may be effective and when either the length or technical nature of the interaction would suggest involvement of an ASL interpreter. This may also include working with advocates for the disabled to develop a form to be completed by persons requesting an accommodation that lists the options that are available and which the applicant believes would be effective.

- The City should provide additional and ongoing training for staff, including volunteers, regarding the requirements of the ADA and accommodations that provide equal access to programs, services, and activities.
- The City should ensure that staff understands how to utilize the services provided for telephone interaction with persons with hearing loss (TDD, Relay Indiana, Deaf Link, etc.) to provide two-way communication for persons with hearing disabilities.
- Parks and Recreation Department staff should evaluate all programs they offer to ensure they are able to determine what accommodations could be available to ensure access to disabled participants. Staff should be provided with training on how to provide reasonable accommodations even if requests are not made in advance and also know when a program would be altered significantly, especially for other users, if an accommodation was needed. The accessibility of all facilities and amenities for programs should also be considered by staff.
- The ADA Coordinator should monitor programmatic access, making any necessary changes to ensure access and document compliance efforts. This would include requesting persons needing and accommodation for access to a program (such as SPARK) provide information about the type of accommodation they believe would be effective for them to gain access to the program.

2.8 Special Events and Private Events on City Property

The City could provide opportunities for private organizations to utilize City facilities for special or private events. Contained within the ADA are two titles that pertain to public and private entities. Public entities are not subject to Title III of the ADA. Conversely, private entities are not subject to Title II. In many situations, however, public entities have close relationships with private entities that are covered by Title III (Public Accommodations), with the result that certain activities may be at least indirectly affected by both Titles. This is the case with certain special events or private organizations that may use City facilities.

Self-Evaluation Findings:

- The City allows the public to use a variety of City facilities. These include primarily Parks and Recreation Department facilities.
- There are several facilities available for rental by the public at Hier's Park and Memorial Park.
- Several parks have picnic pavilions available for rent.

Recommended Action:

- Ensure that facilities available to the public are accessible to the greatest extent possible and that fully accessible facilities and amenities are clearly identified on the City website. For example, picnic pavilions at some parks or some pavilions within a park with multiple pavilions may not all be accessible. City staff should identify which pavilions are accessible and identify those on the website and other information available to the public until all are made accessible. For facilities/amenities that are not accessible, consider including what the conditions are (with photos) to allow people to determine if the issue would present a barrier to access for their specific needs for access.
- Continue to ensure that outside organizations comply with all civil rights laws consistent with all federal, state, and local statutes and case law.

2.9 Ordinances, Design Standards, and Other Documents

Title II entities typically have a number of documents that specify requirements, design standards, and other requirements for construction of various facilities. Often, these documents reference pertinent guidance,

such as state DOT, International/State Building Codes, etc. A review of documents that contain, or should contain, provisions related to accessibility was done by searching key words where possible. Note that not all documents were checked for compatibility of screen reading programs.

Self-Evaluation Findings:

- The Department of Community Development & Redevelopment Building Commissioner administers the Building Code for construction and remodeling projects within the City's jurisdiction. The City utilizes all current Indiana building codes within the various articles of Title 675 of the Indiana Administrative Code.
- The Building Commissioner has attended training on 2009 ICC A117 accessibility code.
- The Community Development & Redevelopment and Public Works & Engineering offices reference Indiana Building Code requirements for accessibility-related issues.
- The City Department of Engineering and Public Works has developed and adopted a 'Sidewalk and Curb Ramp Standards' (all dated 09-05-2017). Review of the document found the following items of note:
 - All plans that include sections for roadways (C4 and C5) specify a cross slope for the adjacent sidewalk of ¼"/foot. This is the maximum allowed by PROWAG.
 - Detail DA1 for a typical residential driveway shows the drive approach crossing the sidewalk as having a 10% cross slope, with the flare transition being within the sidewalk as well. This is an extreme cross slope for disabled pedestrians and far exceeds the 2% maximum allowed by PROWAG.
 - Details DA2, DA3, and DA4 for Residential Drive Approach Type I, Type II, and Typical Private Drive Approach, respectively, all show a ½"/foot maximum cross slope for the sidewalk, which is twice that allowed by PROWAG. The driveway approach and flare for all of these driveways are outside of the sidewalk.
 - Detail SD1 for Typical Concrete Sidewalk shows a 4' minimum sidewalk width and cross slope of ¼" per foot, which is the maximum allowed by PROWAG. No provisions for 5' wide passing area for sidewalks longer than 200 feet is included.
 - Detail SD2 for Type I Sidewalk Ramp does not include any provision of a top landing or clear space at the bottom of the curb ramp, both of which are required by PROWAG for ramps with 5-8.33% running slope. The detail also specifies a 24"x48" detectable warning, with no clarification that the detectable warning must be the full width of the ramp.
 - Detail SD3 for Type II Sidewalk Ramp does not include any provision of a top landing or clear space at the bottom of the curb ramp, both of which are required by PROWAG for ramps with 5-8.33% running slope. The detail poorly illustrates the location of the sloped ramp and level areas, including the turning space at the detectable warning for persons bypassing the crossing and continuing on the sidewalk with a change of direction. The detail also specifies a 24"x48" detectable warning, with no clarification that the detectable warning must be the full width of the ramp. This detail could easily be used in a depressed corner application where the ramp would serve two crossings, with the area of the detectable warning being a level bottom clear space/turning space and the ramped areas being along the adjacent sidewalk approaches.
 - Details SD4 Concrete Curbface Walk and SD5 Concrete Curb Walk both show the cross slope of ¼"/foot, which is the maximum allowed by PROWAG.
- The City Code of Ordinances, located on the American Legal Publishing website (<https://codelibrary.amlegal.com/codes/huntington/latest/overview>), found the following relevant items:
 - Chapter 72: Stopping, Standing, and Parking, Subsection entitled 'Limited Mobility Residential Reserved Parking Permits', '§ 72.66 Eligibility', provides conditions for a person with a permanent disability with valid placard or plate issued by the state to apply for a parking permit at their

residence. It appears as though that if the application is approved, a reserved space is provided in front of the applicant's home.

- Chapter 75: Recreational Vehicles:
 - Subsection entitled "E-Scooters", '§ 75.51 Definitions', provides the definition of 'E-scooter' as *"Has the meaning defined by IC 9-13-2-49.3 as an Electronic Personal Assistive Device except that said **definition does not include motorized vehicles for use by just one person in a sitting position that are used by persons whose mobility has been impaired, either temporarily or permanently, by an injury, disease, or condition.**"*
 - Subsection entitled "E-Scooters", '§ 75.56 Parking', provides a requirement within (B)(3) *"E-scooters shall be parked to leave a clear, straight path at least 48 inches wide measured from the widest part of the scooter and not including the width of any curb."* This is consistent with the requirements for the clear width of the PAR in PROWAG.
 - (B)(4) prohibits parking of an E-scooter that obstructs any *"(a) a parking space, including any parking access aisle; (c) curb ramp; (j) any street furniture; (l) any crosswalk entry or exit, or access to a crosswalk button."*
 - (B)(5) states *"Under no circumstances shall any E-scooter be parked in violation of the Americans with Disabilities Act (ADA), nor shall any E-scooter be parked in a way which impedes accessibility to any parking zones or parking spaces designated for persons with disabilities."*
- Chapter 91: Animal Control, Subsection 'General Provisions' provides in '§ 91.11 Owners or Agents Responsible for Removing Animal Wastes', within (A) *"The owner or agent of an animal shall immediately remove the animal's excrement from public or private property, **excepting a handicapped person working with a guide dog.**"*
- Chapter 95: Garbage and Refuse; City Landfill, Subsection entitled 'Dumpsters and Other Containers', '§ 95.41 General Restrictions', provides within (C) *"No container shall be placed or located so as to impede the use of any sidewalk or pedestrian way or flow of vehicular traffic in any manner."*
- Chapter 99: Parks and Recreation:
 - Subsection entitled 'City Trails and Greenways Network', '§ 99.71 Definitions' provides the definition of 'Electronic Personal Assistive Mobility Device' as *"A single passenger, self-balancing mode of transport with a maximum speed of 15 mph."*
 - Subsection entitled 'City Trails and Greenway Network', '§ 99.74 Vehicles' provides within (A) *"The following vehicles or other modes of transportation are allowed on all designated paths, trails and greenways, including the City Trails and Greenway Network: public safety vehicles, service or maintenance vehicles including public utilities, **wheelchairs (standard or motorized), electric personal assistive mobility devices**, non-motorized bicycles, and skating devices."*
 - Subsection entitled 'City Trails and Greenway Network', '§ 99.74 Vehicles' provides within (B) *"The following vehicles or other modes of transportation are prohibited on the City Trails and Greenway Network: **any standard motorized vehicle powered by gas, diesel, electric or hybrid motors, including but not limited to golf carts enclosed or open**, motorized bikes, motorcycles, mopeds, scooters, ATVs, ORVs, go-carts, swamp buggies, riding mowers, snowmobiles, or any other off-road or air-cushioned type vehicle, unless authorized in writing by the Board of Public Works and Safety."*
- Chapter 100: Streets, Sidewalks, and Right-of-Way, Subsection 'Sidewalks':
 - '§ 100.36 Location of Sidewalk; Notice of Construction', provides within (B) *"Should the city, by its Board of Public Works and Safety, deem it necessary for the welfare and convenience of its citizens that a sidewalk should be constructed along the property lines of any block, lot, or parcel of land within the city, the Board shall by resolution determine that the walk shall be constructed and that the same is necessary to the health, welfare, and convenience of the inhabitants of the*

- city. Personal notice shall be served upon the owner of the property abutting the street on the block, lot, or parcel of land wherein it is declared to be necessary to construct the walk, and the owner shall be given 60 days time within which to construct or cause that walk to be constructed.
- Same section within (C) “Should the owner of property along any block, lot, or parcel of land, within the confines of the city, fail or neglect to construct a sidewalk in accordance with the notice and the resolution of the Board of Public Works and Safety, the Board shall proceed to construct the walk either by letting a contract for the work and materials or by purchasing the materials and causing the work to be done by city employees. After the walk is constructed, the owner of the abutting property shall be billed for the full amount of the contract, in case a contract be let, or for the full amount of the costs of the materials, labor, and supervision, in case the work be done by the city. Upon failure of the owner to pay the sum billed to him by the City Clerk-Treasurer within 30 days, then the city may file suit against the owner of property so billed in a court of competent jurisdiction to collect the amount due for construction.”
 - ‘§ 100.37 Obstruction Prohibited; Maintenance by Abutting Owner’, provides within (A)(3) “Keep that abutting or included sidewalk free and clear of accumulations of dirt, filth, snow, ice, or other material obstruction to pedestrians and/or the traveling public; except when actively receiving deliveries or removing items from the premises. This exception may not be for a time period longer than is reasonably necessary, with the exercise of due diligence, to complete that delivery and/or removal.”
 - Chapter 102: Trees and Vegetation, Subsection ‘Thoroughfare Rights-of-Way’, ‘§ 102.31 Trimming’, provides within (A) “It shall be unlawful for any property owner in the city to permit the limbs and branches of any vegetation to be and remain over and above: (1) any sidewalk to a distance of less than eight feet above the surface of a sidewalk.” This is consistent with PROWAG vertical clearance of 80”.
 - Chapter 158: Zoning Code, Subsection ‘Usage Regulations’, ‘§ 158.030.01 General Provisions’, includes within (E) ‘Definitions’, provides the definition for ‘Sign, Sandwich Board’ as “A sign, typically of an A-frame design, located directly in front of the commercial establishment for which it advertises. These signs may be placed on a sidewalk, provided they do not impede the flow of pedestrian travel, handicap ramps or similar elements and are only on display during the normal operating hours of the business.”
 - No specific mention of relevant construction being required to meet the appropriate ADA standard or guideline was found within any section of the Code of Ordinances.
 - The City of Huntington 2022 Update to the 2012 Comprehensive Plan, prepared by City staff and a Steering Committee, was reviewed. It mentions other plans and reports that require coordination, including the 2013 ADA Transition Plan. The Comprehensive Plan makes little mention of the need for compliance with ADA and ensuring accessibility is provided at City facilities, parks, and ROW, other than having the City Services Department grind public sidewalk trip hazards “as prioritized by the ADA Transition Plan.”
 - The Parks & Recreation Comprehensive System Five-Year Master Plan 2023-2028, prepared by Cornerstone Planning & Design Solutions (PDS) was reviewed and the following relevant items noted:
 - Chapter 1 includes a very simplified description for ‘Accessibility’ on page 1-16, which states, “Accessibility and the Americans with Disabilities Act requirements must be taken into consideration for every program and facility. The department continually strives to achieve accessibility standards in all its program services, facility renovations, and developments.” The plan notes the presence of an “accessible ADA-compliant playground” at Memorial Park.
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- The ADA Coordinator for the City is identified and contact information is provided at the end of Chapter 1.
- The summary of public participation comments includes several related to parks being accessible and inclusive in updates, accessibility challenges, need for more accessible playground equipment, need for recreational areas for disabled adults, and a need for accessible restrooms and other facilities.
- The plan recommends on page 5-8 that accessibility improvements at each park be identified and reviewed on a regular basis and that the department consider expanding accessible programs.
- The 2023-2028 Action Plan Park Improvements include several items that would be expected to improve accessibility, including restroom renovations and stage ADA improvements at Hier's Park and ADA Improvements at Sunken Gardens.
- The City does not appear to have a policy on service animals being permitted in all City facilities and no signage was observed noting they are permitted.

Recommended Action

- Continue specifically referencing the most current versions of ICC, INDOT, ADASAD, and PROWAG related to compliance of facilities and ROW for consistency. Ensure that all documents adhere to the most stringent standard when they are updated.
- Ensure that City Code Chapter 100 is consistent with case law and regulations related specifically to ADA compliance responsibilities of ROW facilities. Confirm the most current case law regarding City sidewalks being a City program or facility and the requirement of the City Ordinance to assess fronting property owners for costs of construction or repair of sidewalks within the public ROW. Examples include *Barden v. City of Sacramento*, *Culvahouse v. City of LaPorte*, *Hamer v. City of Trinidad*, and *Frame v. City of Arlington*.
- Update the City's 'Sidewalk and Curb Ramp Standards' to be consistent with the requirements of PROWAG and also to not specify slopes that are the maximum allowed by ADA. With the recent adoption of PROWAG by the U.S. Access Board and impending adoption by a federal agency that would make PROWAG the enforceable standard, simply referencing PROWAG would be an option for all design standards and construction details in the City's public ROW.
- For all documents, ensure updates reflect current nomenclature. For example, remove all forms and tenses of "handicap" and replace with the appropriate tense of "accessible" or "disability".
- Provide training for plan reviewers and field inspectors on the requirements of ADA facilities and ensure that design plans meet the relevant standards and that construction meets the design plans.
- Provide relevant references to the various ADA standards and guidelines in all documents that reference design and construction.
- Consider utilization of special funding opportunities, including American Rescue Plan Act funding, to make improvements specific to disability access at City facilities.
- Ensure that the 'Limited Mobility Residential Reserved Parking Permit' in Chapter 72 of the City ordinances provides a reserved space for the approved applicant and not simply a disabled parking space that anyone with a valid disabled parking placard or plate could use. This would provide the greatest level of meeting the intent of the City and the applicant by providing the space only for the applicant that has met the criteria of the ordinance.
- Consider an educational campaign regarding the barriers presented to persons with mobility impairments of blocking sidewalks with parked vehicles, even when those vehicles are within driveways, and other temporary obstructions and the prohibition by ordinance Chapters 95 and 100 from obstructing the PAR.
- Consider modifications to Chapter 99 to ensure that subsection '§ 99.74 Vehicles' does not prohibit the use of any motorized device being used by a person with a disability as a mobility device. The current

ordinance language allows only wheelchairs and electric devices on City trails and greenways and specifically prohibits many other devices that could be used as a mobility device (e.g., golf carts).

- Address all the other items noted above to ensure that City documents properly and adequately address ADA requirements for all properties in the City.
- Ensure that Chapter 75, Chapter 99, and other ordinances or City policies that apply are consistent with the ADA requirements of OPDMD. OPDMD is defined in the new rules as “*any mobility device powered by batteries, fuel, or other engines . . . that is used by individuals with mobility disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices... such as the Segway® PT, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair*”. OPDMDs are required to be permitting in all locations where wheelchairs are allowed unless there is a clear and obvious safety reason to exclude them in some areas. See guidance on OPDMDs at the USDOJ website at www.ada.gov/opdmd.pdf.
- Consider developing a service animal policy that meets the requirements of federal law in regard to where service animals (dogs) must be allowed and the conditions in which they can be asked to be removed or restricted. See guidance at www.ada.gov/service_animals_2010.htm.

2.10 Contracted Services and Contractors

Public entities cannot use contract procurement criteria that discriminates against persons with disabilities ([28 CFR 35.130 \(b\)\(5\)](#)). In addition, selected contractors should be held to the same nondiscrimination rules as the City.

Self-Evaluation Findings:

- No discriminatory or exclusionary practices were evident in the selection of contractors and contracted services.

Recommended Action:

- All City contracts should be reviewed to ensure that they include specific, detailed ADA language to require that contractors that provide City services to the public comply with the ADA.
- It is recommended that the City consider a means to maintain compliance when contracting for services or when leasing facilities by:
 - Including ADA compliance requirements in new requests for proposals.
 - Reviewing ADA requirements when contracts or leases are negotiated, revised, or renewed.

2.11 Customer Service, Satisfaction, and Input

ADA requires a public entity to provide an opportunity to interested persons and organizations to participate in the self-evaluation process. For three years after completion of the self-evaluation, a public entity must maintain a record of any problems identified ([28 CFR 35.105](#)).

Self-Evaluation Findings:

- Public notices of the 2012-13 SETP process were advertised in the local newspaper and invitations extended to local advocacy groups. A public meeting was held on December 6, 2012, to provide information about the ADA and the City’s compliance obligations. Three (3) persons attended the meeting and general information was exchanged. No additional outreach or notices were provided for this updated Transition Plan.
- No complaints or grievances were reported related to inability to accommodate customers with disabilities or inability of persons with disabilities to access City programs or facilities.

- The website has a feature called 'Huntington Connect', which allows residents to provide information about a variety of issues to inform the City of issues that need to be addressed. Examples include blight issues, potholes, vandalism, etc. There are no options to report an accessibility concern except for the 'other' option on the list (https://seeclickfix.com/web_portal/5CfaUbAc4sgE3ZLPXCm1GzFz/issues/map).

Recommended Action:

- Conduct periodic customer satisfaction surveys or gather input from recipients of City services using an alternate method, such as public hearings or focus groups. An additional emphasis should be made to survey individuals with disabilities and organizations representing individuals with disabilities.
- Partner with persons with disabilities, their caregivers, and advocates for the disabled to identify concerns and gather comments on capital improvement projects to improve accessibility to people with disabilities during design. Valid comments provided to the City should be considered in the scheduling and prioritization of projects.
- Consider adding a specific topic button on 'Huntington Connect' for accessibility issues, which could include issues with ROW or non-ROW facilities.

2.12 Equally Effective Communication

The ADA calls for public entities to provide applicants, participants, members of the public, and companions with disabilities with communication access that is equally effective as that provided to persons without disabilities ([28 CFR 35.160\(a\)-\(d\)](#)). The regulations also require that the public entity provide the appropriate auxiliary aids and services where necessary to give people with disabilities an equal opportunity to participate in, and enjoy the benefits of a service, program, or activity of a public entity. The law stipulates that the individuals can request the auxiliary aids and services of their choice and that the City will honor the request unless a suitable substitute exists or the request is not required under the law. In addition, the City may provide qualified interpreters via video from a remote location as long as it can meet the performance requirements of [28 CFR 35.160\(d\)](#).

AUXILIARY AIDS AND SERVICES

Self-Evaluation Findings:

- The City has not provided people with disabilities written materials and publications in Braille or large print text, nor have they been asked to do so.
- The Council Chambers on the 3rd floor of City Hall has an ALS with 4 Listen Technologies LR-3200-072 devices. Most public meetings of the City are held in that space.
- The City has assisted customers with disabilities by modifying procedures to provide alternate means to complete transactions and offered assistance to complete City forms.
- The HR Department stated that temporary accommodations have been made to employees returning to work from surgeries and other absences. These accommodations have included flexible work hours, assignment of special parking spaces during recovery, and reorganization of work spaces to provide additional space.
- No departments stated that they have hired/utilized transcription services and readers.

Recommended Action:

- The City should provide staff training and information regarding auxiliary aids and effective communication, including the use of TDD and relay services for communicating with persons with hearing loss.
- The City should ensure that all City meeting rooms have an ALS and also ensure the proper number of listening devices and types of devices are available. Compliant signage that includes the International

Symbol of Access for Hearing Loss should be provided outside of all entries to rooms that provide an Assistive Listening System and Devices. Signs should include guidance on where the devices are located.

- The City should have a complete list of auxiliary service providers, i.e., Braille transcription services, computer assisted transcript, dictation and transcription, American Sign Language (ASL) interpreters, etc.
- The City should ensure that reasonable accommodations are provided to employees that request it and documentation of the review and approval of the accommodations are maintained in City records with necessary private information redacted.
- Staff should continue to assist customers through various means of accommodation for program access and be offered training on various techniques that may be used to provide instant assistance rather than having to wait for a translator to be hired to assist.

INTERPRETER SERVICES

Self-Evaluation Findings:

- The Police Department has hired interpreters to assist in interviews for investigations, including assistance for the hearing impaired.
- The City has no contracts in place for on-site interpretation services.

Recommended Action:

- The City should consider a City-wide contract for qualified sign interpreter services that departments could utilize as needed. A list of interpreters should be maintained by the ADA Coordinator.
- Interpreters should be provided upon request for accommodations or in situations where an interpreter is known to be required.
- The City should explore the viability of providing qualified sign interpreters from a remote location and transmitting the disabled participant's response to the interpreter in instances when an interpreter is needed without advanced notice being provided for customer service, in accordance with [28 CFR 35.160\(d\)](#).

TELECOMMUNICATIONS DEVICES FOR THE DEAF

Self-Evaluation Findings:

- TDD/TTY numbers are not listed for the City or any City departments on the website or staff directory on the website, as there are none.
- No departments indicated that they have used a relay system in the past to communicate with hearing-impaired customers.
- Phone systems in City facilities are all currently compatible with TDD systems.

Recommended Action:

- Where the City uses an automated answering system for receiving and directing incoming telephone calls, the City should enable this system to provide real-time communication with individuals using auxiliary aids and services, including TTY and telecommunications relay systems ([28 CFR 35.161\(b\)](#)).
- All staff responsible for responding to incoming telephone calls should be trained in the protocol and use of TDD/TTY communications, including those from relay services. Information and training should be provided on an ongoing basis.
- The ADA requires all Public Safety Answering Points (PSAPs) to provide direct, equal access to their services for people with disabilities who use teletypewriters (TTYs) or TDDs, including 9-1-1 services. The Title II regulation specifically prohibits emergency telephone service providers from relying on relay services. Relay services do not provide "direct access," because they require the services of a third party and are far more time-consuming than direct TTY calls. However, if a person placing a call to a PSAP voluntarily chooses to rely on a telephone relay service, the PSAP must answer and respond

appropriately to such a call. PSAPs must train their call takers to effectively recognize and process TTY calls. Call takers must be trained in the use of TTY equipment and supplied with information about communication protocol with individuals who are deaf or hard of hearing, or who have speech impairments. Ensure compatibility of 9-1-1 equipment and proper training of staff.

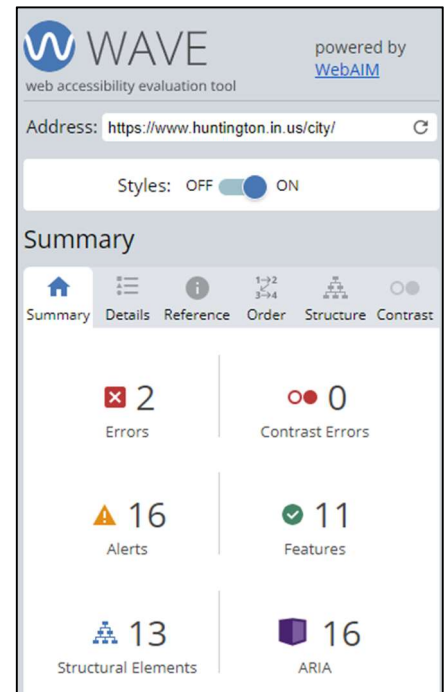
- All staff responsible for responding to incoming telephone calls should be trained in the protocol and use of TDD, Video Phone (VP), and Video Relay Interpretation/Video Relay System (VRI/VRS) communications. Information and training should be provided on an ongoing basis.

WEBSITE

Currently there are no adopted standards for websites that apply to Title II or Title III entities. However, numerous lawsuits have been filed recently, alleging discrimination due to websites not meeting the Web Content Accessibility Guidelines (WCAG), which apply to federal websites. Some decisions that make it to Federal Appeals Courts may be binding to all similar entities in that court jurisdiction. It is very likely that the WCAG will be the enforceable standard for all websites at some point in the future. It is highly recommended that all Title II and Title III entities work towards modifications to websites to meet WCAG sooner rather than later.

Self-Evaluation Findings:

- The City website home page address is www.huntington.in.us/City/. The website was designed and is managed by CORE Business Technologies.
- The website includes an Accessibility Statement at www.huntington.in.us/city/accessibility/.
- The website utilizes pull down menus with multiple layers that may be confusing for some people to use.
- The website is shared between the City of Huntington and Huntington City. Each has their own tabs and content but some of the information, especially for visitors, is shared. It may be difficult for some persons to distinguish between County and City services and information.
- Running an accessibility check with the Web Accessibility Evaluation Tool plugin for Google Chrome (can also be run at WAVE - wave.webaim.org/) generated the following information (see report for the home page). Few errors were found, with limitations such as structural elements being more plentiful. Other web pages on the City site had similar results.
- Many City forms are available on the website in Portable Document Format (PDF). The 'Document Center' includes a variety of information when sorted for 'Category: City Government'. Some PDF documents, including meeting minutes that have signatures of elected officials, are scanned documents and may not be readable by all screen reading programs used by persons with visual impairments. An example is the April 24, 2023, meeting minutes of the City Council at https://www.huntington.in.us/egov/documents/1684932351_30455.pdf.
- The website has links to outside websites for various payments, including parking and other tickets, payment of utility bills, etc. The accessibility of these websites was not evaluated.
- The website includes an 'ADA/Title VI Coordinator (City)' department listing in the directory, which provides information related to ADA. The ADA Notice at the landing page includes the contact information for the ADA Coordinator, who is identified by title and by name.



- The 'ADA/Title VI Coordinator (City)' page includes links to the 2013 Transition Plan and resolution of adoption, information about the Mayor's Advisory Council on Community Accessibility, and the Non-Discrimination Policy Statement. The ADA Notice is printed out in full on this same page. There is no complaint form or grievance procedure provided. The page also includes information related to Title VI of the Civil Rights Act, including the Title VI Non-Discrimination Plan Resolution.
- The website has an "Accessibility Statement" button that includes a general statement about providing a website that is accessible, along with additional guidance for PDF documents.
- The HR Department page does not identify the HR Director as the City's ADA Coordinator.
- The City website provides direct links to the City Facebook and YouTube social media sites, with additional sites found with a search (search was not extensive and was limited to Facebook and Twitter).
 - City Facebook – www.facebook.com/CityofHuntington?ref=ts
 - City YouTube – www.youtube.com/channel/UC8hwdT9hgRsEUzl-aPIM1vA
 - City Police Facebook - www.facebook.com/huntingtoncitypd
 - Parks and Recreation Facebook – www.facebook.com/HuntingtonParks
- The City IT staff has no formalized training on the ADA and compliance requirements for websites.
- Content on the website is generally readable by the screen reader program Non-Visual Desktop Access (NVDA).
- The GIS site for the City is provided by a link to the Beacon website of Schneider Geospatial (<https://beacon.schneidercorp.com/Application.aspx?AppID=184&LayerID=2248&PageTypeID=1&PageID=1143>). The accessibility of the website was not evaluated.

Recommended Action:

- The City's website should be reviewed by the web developer to maintain, update, and monitor website accessibility. The World Wide Web Consortium (W3C) has recently updated Web Content Accessibility Guidelines (WCAG) to version 2.2, which should be the goal for all web updates to meet. When the website is redone, consider simplification in the presentation of the information and limit the use of pulldown menus. Consider a "Documents" page that includes all documents the public would normally look for, such as meeting agendas, minutes, forms, etc. that are currently accessed on various department pages and often difficult to find. The following may provide useful information:
 - Utilize an accessibility checklist similar to that published by the [Access Board](#).
 - The University of Wisconsin Trace Center (<https://minds.wisconsin.edu/handle/1793/6747>) provides resources and on-line information that might assist the City in development and implementation of an accessible website.
 - The Web Accessibility Initiative (WAI) provides guidance on making websites fully accessible (www.w3.org/WAI/).
 - The [General Services Administration \(GSA\)](#) provides resources on their website for development of compliant websites.
 - The ADA National Network provides regular live webinars, which are also archived, with information on various ADA topics. Registration is free. The archived presentations entitled 'Evaluating Websites for Accessibility' (from September 5, 2019) and "An Introduction to Website Accessibility" (from May 5, 2002) can be found at <https://www.accessibilityonline.org/ao/archives/>.
- The sharing of the website with the Huntington County introduces the potential for confusion for some users in understanding what features belong with which Title II entity. When the website is redesigned, consider better segregation of the City and County information than what currently exists, with individual Document Centers, calendars, etc. Also consider having searches provide results only for the entity's site that is being searched rather than returning results for both the City and County.

- The City's website development team should work to develop and refine procedures to design, maintain, update, and monitor website accessibility. Utilize an accessibility checklist similar to that published by the [Access Board](#).
- The City should continue to take proactive steps to ensure its web pages provide for access for the cross-section of disabilities covered under the ADA and should ensure that web pages do not exclude individuals when describing programs, programs, services, or activities.
- Ensure that all PDF documents are directly converted to PDF and not a scan of the original document. Scans are not compatible with many reader programs and cannot always be converted to a readable format by free PDF reader programs. For documents with signatures, consider inserting scanned signatures in JPG or similar format or simply noting where a signed original can be obtained if needed. Ensure that non-PDF format documents are properly formatted and usable by screen reader programs. Consider running a test of all documents to be posted to the website to ensure compliance and compatibility with screen readers prior to posting.
- The City should consider updating the ADA webpage and include all documents and policies related to accessibility issues. The site should prominently display the name and contact information for the City ADA Coordinator, and also provide direct links to all ADA-related documents (Transition Plan, grievance and complaint procedures, ADA Notice, etc).
- Ensure that all documents are updated as needed to provide the name of the current ADA Coordinator when the person in that position changes. Include the ADA Coordinator on the phone directory on the website.
- Consider having the Information Technology (IT) Department and other staff responsible for web content download NVDA or other commonly used screen reader program to test content (www.nvaccess.org/download/) and also consider having vision impaired advocates assist with review of the website and various documents for readability by programs.
- If the social media pages for the limited departments that have their own pages are used to provide public information, consider providing a link on the web pages for those departments to simplify access.
- Consider adding a general disclaimer on the website *"The City of Huntington cannot confirm the accessibility or security of third party websites"*.
- Provide compliant captioning of all video live stream and video recordings provided on the website to allow persons with hearing loss to have access to this program of the City. In addition, provide equally effective communication upon request, which could include written transcripts of meetings.

2.13 Alternate Communication Formats

A public entity has a responsibility to provide information in alternative formats to comply with [28 CFR 35.160](#). This section of the ADA requires state and local government entities to communicate effectively with individuals who are deaf, hard-of-hearing, or have a speech, vision, or learning disability. Communication access involves providing content in methods that are understandable and usable by people with reduced or no ability to: speak, see, or hear and limitations in learning and understanding. Some alternative formats can be produced in-house at minimal costs, i.e., large print, disks, and e-mail attachments. Other formats, such as Braille and audio-formats, may need to be produced by a vendor. Alternate communication formats that are likely to be requested include, but are not limited to: audio-formats, Braille, large print, captioned films and video, electronic text/disk/CD-ROM, or sign interpreted films and video.

Self-Evaluation Findings:

- The HR Director is the main point of contact for requesting and providing information in alternate formats on a request for accommodation basis.

- Many City departments and offices produce printed information that is distributed and available to the public.
- City staff indicated that they assist with filling out forms, if assistance is requested, or when alternative formats are not available.
- The majority of the departments stated they did not have a standard procedure to communicate and produce accessible alternate formats for people with disabilities.
- No departments stated that they had received requests for documents to be provided in alternate formats.
- The City has not been asked to provide written materials and publications in Braille or large print text.

Recommended Action:

- The ADA Coordinator should be the main point of contact for requesting and providing information in alternate formats on a request for accommodation basis and should communicate with other departments as needed when accommodation requests are received.
- The City should provide staff training regarding the requirements of accessible alternate formats, what accessible alternate formats are, and how to provide accessible alternate formats.
- Procedures and methods should be established for the development of accessible alternate formats to ensure that requests are handled in a uniform and consistent manner.
- The City should centralize the production of alternate formats for agendas, publications, and documents, which may result in efficiency and a cost savings.

2.14 Fees and Surcharges

Public entities may not charge a fee or add a surcharge to a fee to cover the cost of making its facilities, programs, services, or activities accessible to persons with disabilities ([28 CFR 35.130\(f\)](#)).

Self-Evaluation Findings:

- There was no evidence of fees charged to individuals *with* disabilities that were not charged to individuals *without* disabilities to access programs, services, and activities.

Recommended Action:

- The City should continue to monitor and review policies and practices to ensure that fees and surcharges are not charged to individuals *with* disabilities that were not charged to individuals *without* disabilities.

2.15 Information and Signage

A public entity is required to ensure that individuals with disabilities are directed to an accessible entrance to a building and to the location and existence of accessible services, activities, and facilities. The ISA shall be used at each accessible entrance of a facility ([28 CFR 35.163](#)). Paragraph (b) requires the public entity to provide signage at all inaccessible entrances to each of its facilities that directs users to an accessible entrance or to a location with information about accessible facilities.

Self-Evaluation Findings:

- Accessible directional and informational signs are limited or not present at City facilities and City-owned sites.
- Inaccessible entrances do not provide signage directing users to accessible entrances.
- Signage within City buildings varies. Signage outside of all permanent spaces (i.e., rooms) are required to have a compliant sign that includes visual and tactile letters and Braille that is positioned according to

ADASAD. Some areas, including restrooms, stairways, etc. should also provide a compliant pictogram on the sign. Some of facilities provide mostly compliant signage, but other facilities frequently exhibit non-compliances including the following issues with signs: signage that is missing, signage mounted in the wrong location or wrong height, signs that provide no tactile characters and/or Braille, signs that have Braille or fonts that are not compliant, etc.

Recommended Action:

- An accessible signing strategy for City facilities should be developed for interior and exterior directional, informational, and permanent room signs. See the Appendix A of this updated SETP and the appendix in the 2013 SETP for details.
- Ensure that all non-accessible entrances provide directional signage indicating the location of the accessible entrance. Locate signage to minimize backtracking. Ensure all accessible entrances for facilities with non-accessible entrances include a large ISA sign at or near the door to identify it as an accessible entrance to the facility.
- Design standards for accessible signs should be created to guide the production and installation of the accessible signs.
- Signage replacement projects should include replacement or installation of accessible signs as required.

2.16 Staff Training

On-going compliance with the ADA can only be achieved if City staff receives training and education about the rights of persons with disabilities and the obligations of public entities and its employees under Title II of the ADA. Although specific training is not required by the ADA (other than ensuring that users of VRI technology and other involved individuals can quickly and efficiently set up and operate the VRI), training regarding the requirements of the ADA is strongly recommended to fully understand the City's obligations for compliance.

Self-Evaluation Findings:

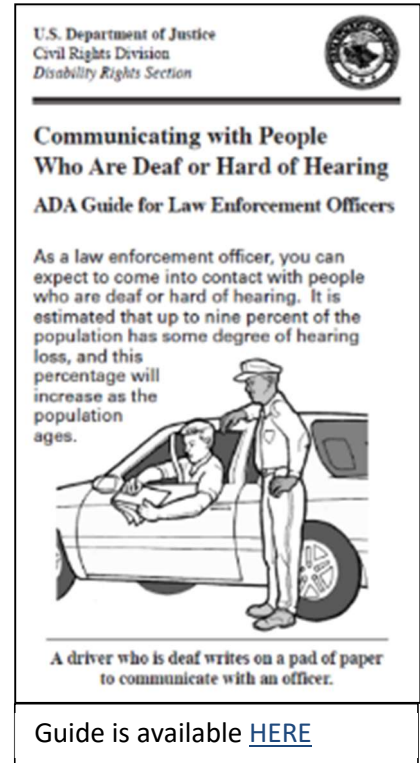
- The ADA Coordinator has attended a training for Title VI and ADA Nondiscrimination Information Session for LPAs, provided by INDOT.
- The Street Department and Public Works/Engineering Services staff has attended ADA training sessions at the annual Purdue Road School conference.
- The HR Director has attended ADA-related training on Title II requirements and diversity training.
- The Building Commissioner and Community Development Department staff has training related to accessibility and the building code, including 2009 ICC A117 accessibility code.
- The Police Department has historically provided the following training to their staff:
 - Officers receive yearly mandatory training for one hour each on mental health issues and autism. The latest training was held in February 2024.
 - Officers have been provided training materials on "Disabilities and Law Enforcement."
- The State of Indiana mandates various training for police officers and all officers are required to take 24 hours of training annually for continuing professional training. Relevant topics available through the Indiana Law Enforcement Academy (ILEA) on the website (<https://www.in.gov/ilea/mandated-in-service-training/>) includes courses on Mental Health, Disabilities, Autism, Alzheimer's, and Dementia. No information was provided by the Police Department related to the department's compliance and when and which trainings have been held on-site, if any.
- No information was provided regarding a variety of policies related to law enforcement agencies that should be developed and in place in all departments to provide consistency and direction for officers.

- Several departments indicated an overall training on disabilities covered by the ADA and responsibilities for accommodation, including planning ahead for accommodation where possible, would be helpful.

Recommended Action:

- The ADA Coordinator should continue to explore training opportunities on various accessibility issues. In addition, the ADA Coordinator should explore the same for other staff that may be available, both in person and remotely. Ensure that all documentation is maintained by the ADA Coordinator of all training related to ADA that is taken by employees or provided to the employees, including the topic, location, date(s), and record of attendance.
- The City should provide training to staff regarding ADA and related civil rights legislation. Suggested training topics include, but are not limited to:
 - Requirements of the ADA for Huntington
 - Consequences of Non-Compliance
 - Acceptable Terminology and Phrases
 - Grievance/Complaint Procedures
 - Reasonable Accommodations
 - Awareness and Sensitivity
 - Disability Etiquette – a good resource is <https://unitedspinal.org/disability-etiquette/>
 - Accessible Locations for Meetings
 - Consequences of Non-Compliance
 - Barriers to Access – Programmatic and Physical
 - Auxiliary Aids and Services
 - TDD/TTY and use of Relay Services
 - Building Evacuation Procedures to Assist Persons with Disabilities, especially in multi-story buildings with public access to upper floors
- Training materials and handbooks should be prepared/provided, if needed, in alternate formats for all employee training.
- The ADA Coordinator should continue to provide or coordinate additional ADA training to all Department managers and staff who have regular contact with the public.
- It is recommended that the Sheriff's Department continue to receive training on ADA accessibility issues related to their activities and mandated annual training required by ILEA. In particular, training on communicating with people who are deaf or hard of hearing (reference <https://archive.ada.gov/lawenfcomm.htm>) and developing a policy on the topic as well (refer to www.ada.gov/lawenfmodpolicy.pdf). Review of other guidance should be done as well, including the publication "Commonly Asked Questions About the Americans with Disabilities Act and Law Enforcement" (www.ada.gov/qanda_law.pdf).
- Consideration should be given to developing policies related to law enforcement specifically impacting officer interactions with disabled persons. Consider a formal policy be developed to provide consistency and direction for officers on topics that could include:
 - Conducting traffic stops and effective communication for drivers with hearing loss.
 - Accommodations that can be provided for special programs that may be implemented to ensure access to disabled residents, such as ride along programs, Blue Santa or similar holiday programs, etc.
 - Policy on the transportation, detention, and interrogation of detainees that require special accommodations due to:
 - The use of a mobility device, especially a wheelchair, that require special vehicles.

- Transportation policy for service animals and the ability of the detainee to retain their animal during detention, including conditions when the person may be separated from their service animal and how the service animal will be cared for to ensure it is segregated from other animals at a shelter and be immediately available to the detainee upon their release.
 - Consideration of expedited procedures for procession of detained persons with disabilities, especially non-violent offenders that require special medical attention, have a service animal, etc. for processing and release.
 - A policy on when mobility devices or other personal property may be removed from the detainee when it may be a security concern or used as a weapon, including mobility aids (walkers, canes, etc.) and prosthetics.
- Additional training materials may be made available to officers on “Disabilities and Law Enforcement”, which is available on the U.S. Department of Justice web site (www.ada.gov/policeinfo.htm).
 - City inspectors and plan reviewers should be familiar with the requirements of ADA standards and guidelines that pertain to the facilities they are responsible for. This would include ensuring compliance with the most stringent regulation (ADA-specific at a minimum) for facilities constructed by the City or private contractors prior to acceptance or approval.



2.17 Emergency Evacuation Procedures

The City is required to establish emergency evacuation procedures to safely evacuate persons with disabilities who may need special assistance in an emergency. These plans and procedures should include identification of assembly locations for persons with disabilities in each facility, staff assigned to ensure that assembly areas are checked prior to leaving buildings during an emergency, identification of assembly locations for pickup and transport of persons with disabilities, and location of accessible shelters to be used for various types of emergencies. Depending on the nature of the emergency, some shelters may not be appropriate.

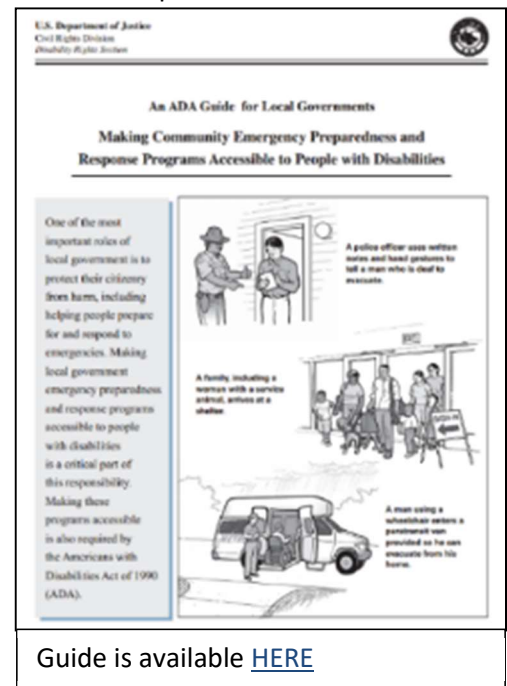
Self-Evaluation Findings:

- The City of Huntington works in conjunction with Huntington County EMA (EMA), who coordinates with the Indiana Department of Homeland Security (IDHS), United States Department of Homeland Security, and the Office for Domestic Preparedness, and many other State and Federal agencies. The EMA is responsible for writing, updating and disseminating the Huntington City Emergency Operations Plan (EOP), Strategic Preparedness Plan, Standard Operating Procedures, Memoranda of Understanding (MOU), and Mutual Aid Agreements. They receive new and updated requirements from IDHS and relay them to cooperating agencies, including the City.
- The County has switched from the CodeRED Emergency Notification System to the Integrated Public Alert Warning System (IPAWS), a service provided by Motorola to make emergency notifications to cell phones. As a back up to IPAWS, the County can also use the EAS (Emergency Alert System) This will also be transmitted by Cell Phone, unless the cell phone user has turned off alerts, which allows EMA to telephone registered users in case of an emergency situation that needs immediate action.

- Pathfinder Services, Inc., a local advocacy group for the disabled, maintains and provides a list of homebound clients and group homes to the Emergency Management Coordinator for Huntington County, including City residents.
- Emergency evacuation plans were present at many City buildings that were evaluated in 2023 but not all facilities were reviewed. It is not clear if departments have established emergency evacuation procedures to safely evacuate persons with disabilities in any of the facilities.
- Based on departmental questionnaire responses and observations during facility evaluations, it appears that at least some City facilities have plans in place for special preparation for emergency events, such as pre-determined meeting places, drills, and safety coordinators for each building. At most City facilities, fire escape signage and information on tornado and lockdown procedure is provided but is visual only. Generally, the evacuation routes are identified on a building layout diagram. Established procedures are in place for a variety of emergencies. However, it is not confirmed that all departments have established emergency evacuation procedures to specifically address safe evacuation of persons with disabilities.

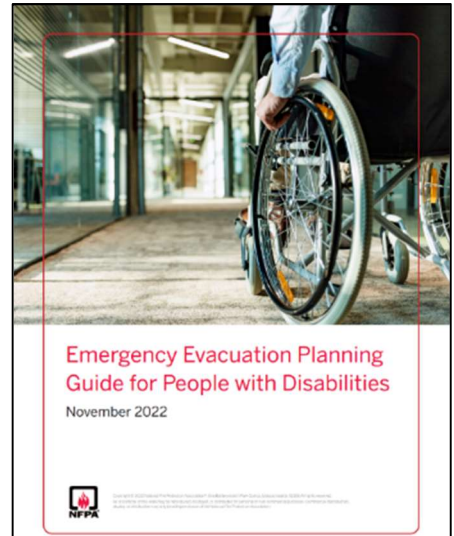
Recommended Action:

- The City should review and update, if necessary, response procedures to include evacuation procedures to evacuate people with disabilities from all buildings. Excellent resources can be found at:
 - www.ada.gov/emergencyprepguide.htm
 - www.access-board.gov/files/ada/guides/amoe.pdf
- The City should work with the Huntington County EMA to ensure the EOP includes information related to the City's role in emergencies. This may include identification of evacuation routes and location of emergency shelters to be used for various types of emergencies and ensuring that vehicles used to evacuate residents are accessible, as are all of the emergency shelters. This is especially important for caregivers of persons with disabilities and group homes that are able to transport their clients.
- The City should provide additional training and information regarding emergency evacuation procedures, particularly with regard to the evacuation of persons with disabilities, to all employees and volunteers charged with assisting in evacuations.
- Stress the importance of ensuring that non-profit agencies that coordinate and maintain the list of shelters identify and communicate which are accessible for various disabilities. Work closely with Pathfinder Services and other advocacy groups to update lists of homebound individuals and others needing assistance in the event of evacuation.
- Take the necessary steps to ensure that emergency teams are aware of persons with disabilities in the community who may require special assistance in the event of an emergency or natural disaster and encourage residents with special needs to register with the City to ensure that proper assistance can be provided if needed. Registration can be done by a variety of means, but ensure it will include an option for persons without cell phones that may not be capable of registering with IPAWS.
- All City staff should be made aware of the location of the posted accessible evacuation routes within their facilities once the emergency evacuation plans have been prepared/updated. These routes should be conspicuously posted for the public within each facility.



- Include within evacuation plans for each building guidelines for the evacuation of persons with disabilities for various emergency situations. Each Department should use these guidelines to create their own emergency evacuation plans, which should:
 - Address what to do when an alarm is triggered;
 - Establish meeting places for assistance and evacuation at staircases;
 - Establish floor captains who will ensure that each floor is vacated prior to leaving themselves and ensuring that persons that need assistance are removed to safety.
- Ensure that in any emergency plans that are prepared or revised that the City includes specific information related to the special needs of the disabled during the various types of emergency situations. Examples could include working with the County to:
 - Involve persons with disabilities and their advocates and caregivers in planning for emergencies.
 - Identify potential sources of equipment that can be made available for persons with disabilities in the event of an emergency. This equipment could include wheelchairs, walkers, etc. that might be left behind at homes or damaged during an evacuation.
 - Determine the feasibility of a voluntary, confidential registration of residents that would need special assistance during an evacuation or emergency that require utilization of temporary or longer-term sheltering. This is not an option for IPAWS/EAS but could be a database prepared and maintained by the Police or Fire Department.
 - Ensure that designated shelters are accessible and able to meet the needs of persons with disabilities, including those with service animals.
 - Consider the potential special food and dietary requirements for some persons with disabilities in the provision of food in the event of an emergency.
 - Seek out volunteers with special training to assist persons with disabilities in all phases of an emergency and particularly at shelters, including American Sign Language (ASL) interpreters, mental health services, etc.
 - Ensure that all departments with emergency responsibilities understand them and know what is required for different types of emergencies.
 - Continue to partner with groups able to provide specialized assistance in emergencies and ensure each understands the potential needs on them.
 - Consider adding details for Emergency Support Functions (ESF) that pertain to assisting persons with different disabilities for the different types of emergencies.
 - Provide additional details after consultation with experts on how to ensure equally effective communication is provided to disabled populations in an emergency. Examples could include ensuring closed captioning is provided on television broadcasts, that ASL interpreters are provided for all televised briefings and updates, etc.
- Consider special events at City facilities to offer voluntary registration for residents without internet access and those that may need assistance with the registration process.
- Revisit emergency plans and signage for each facility. Include guidelines for the evacuation of persons with disabilities for various emergency situations. Verify on a regular basis that each department is aware of what to do when an alarm is triggered; aware of meeting places for assistance and evacuation at staircases; and have identified floor captains who will ensure that each floor is vacated prior to leaving themselves and ensuring that persons that need assistance are removed to safety or sheltered safely until emergency personnel can evacuate them.
- Consider providing special equipment for evacuation of persons in wheelchairs in multi-story facilities and/or ensuring the City emergency personnel have this type of equipment available. This equipment allows emergency personnel to safely transport people down stairs that are not able to do so independently and without having to be carried where elevators cannot be used for evacuation.

- City emergency responders should review and complete the Title II Emergency Management checklist at www.ada.gov/pcatoolkit/chap7emergencymgmtadd1.htm for additional information about ensuring the Hazard Mitigation Plan considers persons with disabilities adequately.
- Excellent additional resources can be found at:
 - [U.S. Department of Homeland Security](http://www.dhs.gov)
 - [National Fire Protection Association](http://www.nfpa.org)
 - www.ada.gov/emergencyprepguide.htm
 - [U.S. Department of Health and Human Services](http://www.hhs.gov)
 - onlinepubs.trb.org/onlinepubs/tcrp/tcrp_rpt_150.pdf
 - www.nad.org/resources/emergency-preparedness/



2.18 Employment

Title I of the ADA requires public entities not to discriminate against persons with disabilities in all parts of the recruitment and employment process ([28 CFR 35.140](http://www.ecfr.gov/current/title-28/chapter-I/subchapter-A/part-161/subpart-1/section-161.140) and [29 CFR 1630.4](http://www.ecfr.gov/current/title-29/chapter-I/subchapter-A/part-161/subpart-1/section-1630.4)). It is recommended that employment-related items be discussed with a labor attorney and/or human resources specialist familiar with ADA and case law related to essential job functions, reasonable employee accommodation, and other employment issues. The findings and recommendations below are based on limited knowledge of these issues but warrant mention and consideration to allow the City to further evaluate the need for potential updates and/or changes.

Self-Evaluation Findings:

- The HR Department primarily provides services to job applicants, City employees, and retirees.
- The HR Department Director is the ADA Coordinator.
- The City of Huntington, Indiana Employment Handbook (dated January 1, 2023) appears to be prepared by the City.
 - Section 3 'Discrimination in Hiring and Employment' states:
 - '3.1 Equal Employment Opportunity Statement'. *"It is the policy of City to make equal employment opportunities available to all persons without regard to race, sex (including pregnancy), age, color, religion, national origin, military status, citizenship status, **disability**, . . . This policy includes any applicable federal and state prohibitions against on-the-job harassment of any individual because of race, color, sex (including pregnancy), religion, age, national origin, military status, citizenship status, **disability**, . . . City will take appropriate steps to **provide reasonable accommodation upon request to qualified individuals with disabilities so long as doing so does not impose an undue hardship**. City will also take appropriate steps to provide reasonable accommodation upon request to employees whose religious beliefs or restrictions create a conflict with City's policies, practices or procedures so long as doing so does not cause an undue hardship. Requests for accommodation should be made to the City Director of Operations."*
 - '3.2 Americans with Disabilities Act ("ADA")'. *"In accordance with the ADA, **City shall not discriminate against a qualified individual with a disability** because of the disability in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation and fringe benefits, job training and other terms, conditions and privileges of employment. City encourages and invites applicants and employees to identify themselves as individuals with disabilities in order for City to collect and analyze information for satisfaction of ADA requirements and determination of appropriate and reasonable accommodations.*

Employees who believe they have a mental or physical disability and require reasonable accommodation to perform the essential functions of their job should contact the City Director of Operations. City will then engage in an interactive process with the individual employee to explore possibilities and what can be done by way of accommodation without imposing an undue hardship upon City, as defined by law.

- '3.5 Discrimination/Harassment'. "City also **prohibits any discrimination** or demeaning language, characterization or conduct by its employees that may harass, intimidate, insult, ridicule, emphasize or characterize another person because of his/her race, color, religion, national origin, sex, age, **disability** or any other protected category."
- '3.7 Complaint Process'. "Any employee who believes that he or she is a victim of any form of discrimination or sexual harassment should promptly report it to the City Director of Operations. If reporting to the City Director of Operations would be inappropriate, an employee may make such report to the Mayor or City Common Council President."
- The HR Department provides reasonable accommodations to applicants or employees with a disability upon request.
- The employment application states that "The City of Huntington, Indiana, does not discriminate on the basis of race, gender, national origin, religion, or any other classification protected under applicable law in employment or the provision of services.". It does not specifically include disability.
- Review of various examples of job descriptions for positions at the City noted the following relevant items:
 - Job descriptions appear to be prepared internally by City staff. All job descriptions reviewed provide a date of when they were prepared and revised.
 - The job descriptions reviewed were consistent in the format, headings, job descriptions, qualifications, etc. All include headings of 'Nature of Work, 'Reports To, 'Attitude/Character', 'Essential Duties/Abilities/Performance', and 'Qualifications'.
 - Job descriptions include a location for approval by the department head, Director of Human Resources, and Mayor and has a location for an effective date at the end (none of which were completed for job descriptions provided for review).
- Several job ads were reviewed and are a very brief synopsis of the job description , some include a link to the application for employment on the website.
- Not all job descriptions required a valid driver's license, while those that did appeared limited to positions that required operation of City vehicles in the performance of the job.

Recommended Action:

- The City should continue to practice the City policies of non-discrimination as required by ADA and other applicable laws.
- The City should consider providing on-going training in providing services to persons and employees with a range of disabilities and developing strategies for appropriate modifications.
- The City should confirm that HR and other staff members that receive phone calls are trained in the use of TDD equipment or other means of communicating over the telephone with a person with hearing disabilities.
- Ensure all applicable web pages and documents include a statement about the City being an 'Equal Employment Opportunity' employer or other statements compliant with applicable laws.
- Determine the potential need for alternate ways for individuals to apply for jobs if they do not have internet access. This could include providing information about where computers can be available (libraries, schools, City facilities, etc.), providing hard copies of applications for employment in both regular and alternate formats (e.g., large print), etc.

- The City should continue to practice the City policies of non-discrimination as required by ADA and other applicable laws.
- Ensure that electronic copies of all documents are available to City employees which are fully accessible and usable by persons that use screen reading programs. Existing scanned documents should be replaced by original PDF conversions. If signatures are desired, insert them as a picture in the PDF and ensure alt-text is provided. Run an accessibility test of all documents to ensure issues are repaired prior to the distribution of the documents to employees.
- The City should continue to practice the City policies of non-discrimination as required by ADA and other applicable laws for recruiting, hiring, training, assignments, compensation, benefits, transfers, layoffs, returns from layoffs, education, and promotion.
- Members of the public, including individuals with disabilities and groups representing individuals with disabilities, should be encouraged to submit suggestions to the City ADA Coordinator/HR Department on how the City might better meet the needs of individuals with disabilities pursuant to employment policies.
- Consider requiring all City employees, including police officers, to document all interactions with persons with disabilities, including the type of disabilities encountered, communication and any other issues due to the disability, and how the City employee was able to effectively communicate with the individual(s). This type of documentation can be good examples to share with other City employees, including in-house training, and also create a documented file of ADA compliance efforts for the City.
- The City should consider carefully examining and updating all job descriptions as needed. Updates should ensure a standardized format for all job descriptions and could include modernizing language to simplify the existing information as often suggested by HR professionals at the National ADA Symposium. as well as a job analysis to ensure accuracy of information relied upon to update job descriptions, if needed.
 - Provide job functions identified as 'Essential' based on documentable evidence about the existence of the position for performance of the function, the limited number of employees that can perform the function, and the specialization and expertise required to perform the function. Further evidence would include employer judgment, amount of time performing the function, the consequences being serious if an infrequently performed function is not performed when needed, etc.
 - Ensure that 'Performs Related Duties as Assigned' is not included as an essential job function.
 - Do not include marginal or peripheral functions of positions within Essential Job Functions area, though these lesser functions can be included elsewhere if appropriate.
 - Use clear, concise, non-technical language and avoid gender-specific language, jargon, technical language, ambiguity, and language that may screen out individuals with disabilities.
 - Updates should include 'ADA Compliant Language'. Examples include modifying statements such as 'stand or sit' to 'stationary position', 'talk/hear' to 'communicate, convey, express oneself, exchange information', 'use hands/fingers to handle or feel' to 'operate, activate, use, prepare, inspect, detect, position', 'see' to detect, perceive, identify, recognize, observe, inspect, assess', 'carry or lift' to 'transport, move, position, put, install'.
 - Ensure requirements in all sections are actual requirements of the position and avoid use of subjective words such as 'normal' when describing visual acuity, hearing, etc. Determine need for requirements such as sense of smell or taste, depth and/or texture perception, color perception, etc., which for many jobs is unlikely to be needed to perform the duties of the job.
 - Ensure that all job descriptions include a brief statement at the bottom regarding reasonable accommodations being provided to allow qualified persons to perform essential job functions.
 - Review which jobs require a valid driver's license or commercial driver's license for the employee to perform job duties due to the need to operate a City vehicle. Remove the requirement from jobs that

do not since many persons with disabilities are not able to obtain a driver's license, instead substituting the requirement with providing a valid photo ID issued by a governmental agency.

- Ensure that the job description for the position that is designated as the City's ADA Coordinator includes this within the duties and the person in this position should have relevant experience and knowledge of the ADA and other civil rights laws related to Title I and Title II.
- An excellent resource to review when considering updates or modifications to various documents, including job descriptions, is the Job Assistance Network at <https://askjan.org/topics/jobdesc.cfm> and the U.S Department of Labor, Office of Disability Employment Policy at <https://www.dol.gov/odep/#>.

2.19 Department Self-Evaluation Findings and Recommendations

DLZ distributed a questionnaire to the ADA Coordinator that requested information about various departments, policies, and procedures of the City. This information included departmental specific items to provide information to help DLZ better understand the policies and procedures of each related to ADA understanding, training, and accommodation (see Appendix C). DLZ reviewed responses and coordinated clarifications and questions with the ADA Coordinator. The questionnaire also allows DLZ to gain an understanding of how well the person completing the questionnaire understands the obligation to ensure their programs are accessible and how to provide accommodations. Additional inquiries were also made during the facility evaluations. A general summary follows.

Self-Evaluation Findings:

- The City has numerous departments with extensive, daily public interaction that is both in person and over the telephone.
- Several departments reported having interacted with persons with various disabilities and expressed an ability to find a way to successfully provide accommodation.
- Few departments have identified a person to be the liaison with the ADA Coordinator, but for most departments responsibility would fall to the department head.
- No departments responded that the programs offered for persons with disabilities were different in any way.
- Many departments have publications, documents, and forms that are reviewed, provided, or submitted to them by the public. Many of these documents are completed at the service counter.
- Some departments made several good suggestions on how they could improve accessibility to their programs, particularly to remove architectural barriers. Many also cited a need to provide funding to correct the deficiencies.
- Several departments requested assistance on identifying ways to accommodate persons with disabilities in their offices.

Recommended Action:

- Public interactions with persons needing special accommodation due to a disability is likely to occur for all departments at some point. Training should be provided to all departments to review how to accommodate various disabilities and provide the same level of service.
- Examples of interactions and accommodation for persons with disabilities demonstrated flexibility and desire to provide access to all programs offered.
- All departments should have a liaison identified that will interact with the ADA Coordinator and be responsible for ADA compliance in their department.
- Continue to ensure that all programs offered do not segregate customers with disabilities or not provide the same type and level of service.

- Ensure that all publications, documents, and forms that are provided to the public can be made available in alternate formats easily. This would include large print versions and electronic versions in multiple file formats. All departments should have an accessible work space or clipboard that can be provided to someone that cannot reach counters that are above required height.
- All departments evaluated have barriers present, all of which can be addressed by architectural modifications, various methods of equal accommodation, or changes in procedures.
- Funding will be a key component in some instances but many improvements in service to persons with disabilities can be done inexpensively and within a short timeframe.
- The report includes a number of ways that departments can accommodate persons various disabilities but circumstances and barriers vary between departments. Training of staff is a key component to knowing how to accommodate and provide equal service to persons with disabilities of all kinds.

2.20 Facility Self-Evaluation Findings and Recommendations

As part of this SETP update, DLZ performed a self-evaluation of the following City facilities. As noted earlier, facilities and areas of facilities not reviewed in 2023 were reviewed during the original 2013 SETP. In most cases, items noted as not meeting ADASAD remain and will continue to be addressed annually as the City implements their Transition Plan.

- City Hall – complete evaluation of all public areas and employee common use areas.
- City Services – all public areas and employee common use areas in this new construction facility.
- Police – all public areas at the new Police Station.
- Schenkel Station – all public areas.
- Drover Park – drinking fountain, splash pad, and sidewalk to the restrooms only.
- Elmwood Park – drinking fountains and new accessible route to the southwest shelter and to restrooms from ball field and the play area.
- Erie Heritage Park – full review of interior paths, gazebo, etc., no facilities present in 2012.
- Rotary Centennial Park – full review, new park.
- Hier’s Park – new parking area near restroom, drinking fountain, and new/altered sidewalks around the play area and to the east of the play area to parking area.
- General Slack Park – drinking fountain and altered sidewalks between the restroom and playground only.
- Laurie Park – drinking fountain and altered sidewalks around the pavilion and playground only.
- Memorial Park – all new sport courts, parking, restrooms, drinking fountain, and accessible routes at the north end of the park and lower playground at the south end of the park.
- Sunken Gardens/Shakespeare Gardens – new Charters of Freedom veteran’s memorial area and new connecting accessible routes only, including new bridge over the drainage channel.
- Yeoman Park – new accessible routes, connections to parking areas, parking area at the south near soccer field, and new parking lot at skate park.
- Barks & Rec Dog Park – complete evaluation of all facility features.
- General overview and review of drinking fountains at all parks.
- Public Parking lots – review of Lots 2-7 and new public lot in the southwest quadrant of E. Market Street and N. Briant Street.
- On-Street Parking – review of all on-street parking for compliance with number of accessible parking spaces per block and proximity to required access to the pedestrian access route (sidewalk).

A comprehensive review of accessibility at all various areas of these facilities was performed consistent with ADASAD and the scope of the work. Specific information by facility can be found in Appendix A.

Recommended General Actions:

- Specific priorities for each facility and corrections needed, with costs, to fully comply with ADA standards are included in the following section of this report and the appendix of this update and the 2013 Transition Plan.
- In some cases, comprehensive costs for alteration of some spaces, especially restrooms, may not be possible due to additional investigation required outside the scope of an ADA self-evaluation. Additional investigations required for spaces that need to be enlarged by removing a wall could include structural review for load bearing, review of plumbing or ductwork in the wall, etc. Appendix A identifies the cost for these items as “TBD”.
- There are many interim fixes that can be implemented immediately to address various deficiencies and provide equal access to all users until permanent solutions are implemented. Other improvements are relatively low cost and should also be considered for implementation in early phases of the Transition Plan. These include:
 - Restripe parking lots to provide compliant spaces and access aisles, with proper signage, at locations closest to accessible entrances at all facilities. When a facility has multiple parking lots, precedence should be given to the lots that have the most use by the public and are closest to facility entrances or amenities. However, all lots that serve an accessible entrance must provide accessible spaces.
 - Develop a master signage plan for all facilities that includes exterior directional signage to accessible entrances and required signage within each facility. Ensure that at least one entrance at all facilities is fully accessible until the required 60% of public entrances can be made accessible and that non-accessible entrances are adequately signed to direct the public to the accessible entrance(s).
 - For objects that protrude inside buildings, either move these items closer to the floor where they are cane detectable, move them outside the pedestrian circulation route in buildings, or place a permanent object that is cane detectable below them. Ensure that vegetation is trimmed so it does not protrude into the path of circulation outside of facilities.
 - Provide a cup dispenser at all interior non-compliant drinking fountains below 48” height at a level location that can be used by anyone at functional drinking fountains, along with a waste container, until a new compliant hi-lo drinking fountain is installed. Note that this is a very short-term solution since some users may not be able to utilize a cup to drink for various reasons.
 - Develop a lockset replacement plan for all doors that have knobs and/or locks that require grasping and turning to operate. In rooms with doors that have knobs, ensure staff can see into the hallway in the event someone on the outside cannot open the door. Consider a policy that doors with non-compliant hardware are left open at all times during business hours.
 - In rooms with light switches above 48” that are operated by the public, consider installation of occupancy sensors and timer controls for lighting control. The 1991 ADAAG allows up to 54” height, so in many cases this recommendation is not required until the space is altered.
 - In areas that have all electrical outlets below 15” and/or above 48”, consider mounting a power strip or extension cord to the wall that is accessible within the required height range. This is especially important in today’s electronic age, with people often looking to charge their mobile devices. This should be looked at as only a short-term solution.
 - Ensure that compliant pedestrian routes exist from parking to the accessible entrances for all buildings. This may entail new construction or reconstruction of existing sidewalks. Also ensure that

compliant accessible routes are provided from the public ROW to accessible entrances to City facilities.

- Determine if adjustments can be made to interior door closers to reduce the opening pressure to 5 pounds or less and/or slow the closing time to at least 5 seconds from 90 degrees open to 12 degrees from closure. If this cannot be attained, a new closer will need to be purchased and installed. Closers can also be removed from some doors.
- Review corrective actions needed for at least one accessible set of restrooms for each facility initially and provide signage to direct persons from non-accessible restrooms to the accessible one. Depending on the size and use of a facility, one set may not be adequate and one set per floor or wing may be more appropriate.
- Ensure that all public assembly areas (meeting rooms) with audio amplification have the proper number and types of assistive listening devices available and signage is installed alerting people where they are available.
- Consider automatic door openers at facilities with inadequate space in alcoves, excessive opening force requirements, or closing speeds that are too fast for exterior doors.
- While 36" is the required height for most service counters, many locations may require a person to complete forms or other documents/applications. Ensure that all departments that have public contact at service counters with a surface above 34" have compliant work surfaces available for persons to complete paperwork or review documents. A clipboard can be used as an accommodation temporarily until the counter can be altered and consider all alterations to service counters be to 34".
- Move furniture or other obstructions that could be in the way of required clear spaces for persons using wheelchairs, such as door maneuvering spaces, operable parts of various items, etc.
- Lower or install an additional coat hook in each restroom stall and rooms where coats may be hung on the wall that is at 48" maximum height.
- Consider installation of kick plates and filler strip on the push side of all doors with glass or vents below 10" above the floor to prevent glass breakage by wheelchair users.
- Reposition items in restrooms that are too high, including soap dispensers, mirrors, paper towel dispensers, etc. In some instances, it may be less costly to provide an additional amenity within compliant height (e.g., add a second mirror on different wall, install a second soap dispenser, etc.).

3

Self-Evaluation of Pedestrian Facilities in the Public ROW – On-Street Parking Inventory



3.0 Self-Evaluation of Pedestrian Facilities within the Public ROW – On-Street Parking Inventory

This section of the SETP summarizes the approach for review of ROW facilities for this Transition Plan update. The findings and recommendations will provide the basis for the implementation of specific improvements for pedestrian access within the public ROW to supplement those provided in the 2013 Transition Plan. Elements that may be encountered during ROW evaluation, in addition to pedestrian access routes (PAR) and curb ramps, include street furnishings, accessible pedestrian signals, transit stops and transit shelters, roundabouts, marked or metered on-street parking, and rail crossings. The only ROW facilities assessed in detail for this project and discussed within this section includes on-street parking within the downtown business district.

3.1 Data Collection and Methodology

All ROW pedestrian facilities included within the scope of the project were inventoried and assessed using guidance contained in PROWAG, dated July 26, 2011, as published by United States Access Board. Though PROWAG was not an enforceable standard at the time of the evaluation, it was well documented as being the “best practice” by the Federal Highway Administration (FHWA). Since the evaluation was completed, the U.S. Access Board has completed the rulemaking process and a modified version of PROWAG is effective as of September 7, 2023, and will be an enforceable standard once another Federal agency (i.e., USDOT, USDOJ) goes through the rulemaking process and adopts PROWAG. This is likely to occur in the near future.

Data collection for on-street parking was completed by DLZ in May 2023 utilizing field notes of on-street parking location and type, number of spaces by block face, proximity of parking spaces to curb ramps, adjacent sidewalk width, and signage. On-street parking analysis was done on a block face basis per PROWAG. The total number of marked or metered parking spaces was identified, including those marked as accessible in some way (signage, ISA on meters or pavement, etc.). Compliance of spaces for both proximity to sidewalk access ramps and other features required by PROWAG were reviewed and determination made of compliance issues and corrective actions for the City to consider. Discussion of data collection and results for on-street parking is provided below, with mapping and results of the evaluation in Appendix B.

3.2 On-Street Parking

On-street parking is often provided in downtown shopping districts and some residential areas. The City of Huntington has many areas along and adjacent to the downtown business district bounded by E. Park Drive, Warren Street, Court Street, W. State Street, and Cherry Street with on-street parking that must meet PROWAG requirements. Requirements for on-street parking are not specifically mentioned in the 1991 or 2010 ADA Standards but best practice would suggest that other requirements within ADASAD that do not conflict with PROWAG should be utilized. This would be most pertinent to signage requirements beyond the minimal provisions within PROWAG. All of the on-street parking is marked without parking meters, and includes primarily parallel parking, though there are limited areas of angled parking.

Requirements:

The scoping provisions in R214 of PROWAG state, “Where on-street parking is provided on the block perimeter and the parking is marked or metered, accessible parking spaces complying with R309 shall be provided in accordance with Table R214. R309.2 ‘Parallel Parking Spaces’ provides the technical requirements for parallel on-street parking spaces, which varies based on the width of the adjacent sidewalk or available ROW. Per 309.2.1, “Where the width of the adjacent sidewalk or available right-of-way exceeds 4.3 m (14.0 ft), an access aisle 1.5 m (5.0 ft) wide minimum shall be provided at street level the full length of the parking space and shall connect to a pedestrian access route. The access aisle shall comply with R302.7 and shall not encroach on the vehicular travel lane.” Advisory R309.2.1 clarifies that the access aisle can serve either side of the vehicle. Note that for alterations where the street or sidewalk is not altered, an access aisle is not required provided the parking spaces are located at the end of the block face (R309.2.1.1). For narrow sidewalks, R309.2.2 states, “An access aisle is not required where width of adjacent ROW is less than or equal to 14’. When an access aisle is not provided, the parking spaces shall be located at the end of the block face.” See Figure R309.2.1 and R309.2.2 below.

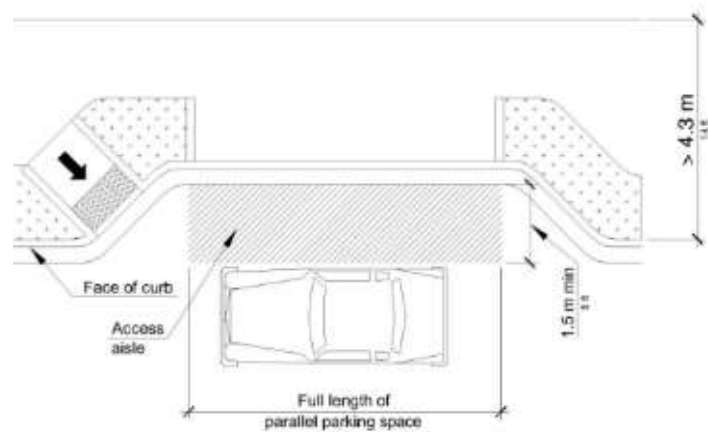


Figure R309.2.1
Wide Sidewalks

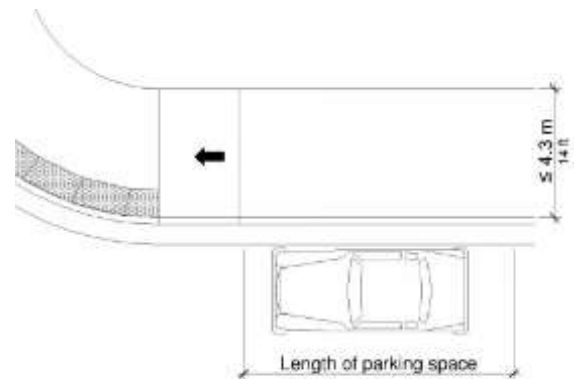


Figure R309.2.2
Narrow Sidewalks

PROWAG R309.3 addresses the guidelines for ‘Perpendicular or Angled Parking Spaces’, stating, “Where perpendicular or angled parking is provided, an access aisle 2.4 m (8.0 ft) wide minimum shall be provided at street level the full length of the parking space and shall connect to a pedestrian access route. The access aisle shall comply with R302.7 and shall be marked so as to discourage parking in the access aisle. Two parking spaces are permitted to share a common access aisle.” Perpendicular or angled parking spaces are also required to provide a curb ramp or blended transition to connect the access aisle to the PAR, with the curb ramp being required to be outside of the access aisle (R309.4). The requirements for these curb ramps mirror the requirements for all other curb ramps within the public ROW, other than the fact that detectable warnings are not required on curb ramps or blended transitions that connect an on-street parking access aisle to the PAR (Advisory R309.4).

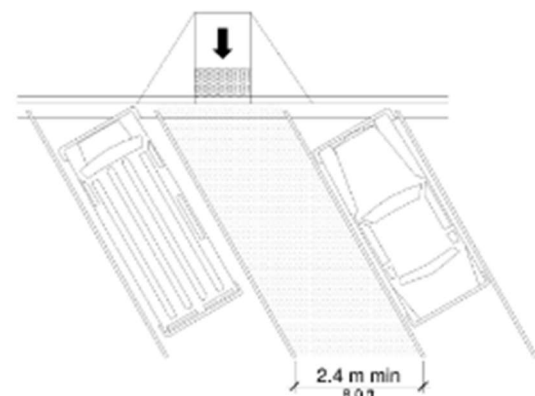


Figure R309.3
Perpendicular or Angled Parking Spaces

Accessible parking spaces are required per R211.4 of PROWAG to be identified by signs displaying the ISA and complying with R411. Signs are required at the head or

foot of parking spaces. Signs should also meet the requirements of ADASAD 502.6 for parking and MUTCD for signs, with 80" minimum height to the bottom of signs from finish grade provided. It is important to note that there is no differentiation between van-accessible and other accessible spaces as is the case outside the ROW. Requirements for all on-street accessible parking spaces are the same, which are essentially all van-accessible but van-accessible signage is not required. Use of the ISA pavement markings is not required nor is it a compliant substitute for a sign. At accessible parallel parking spaces, parking meters, if provided, shall be located at the head or foot of the parking space.

On-Street Parking Self-Evaluation Findings:

Marked on-street parking spaces within Huntington are widespread within the downtown business district. Most residential areas and many other areas of the City allow parking on the street but the parking spaces are not marked, and therefore not required to include designated accessible spaces. A total of 19 City blocks within the downtown were evaluated that provide marked parking on at least one block face. The evaluation found approximately 387 on-street parking spaces were present, including 11 marked as accessible (see Table B-1 and Figure B-1 in Appendix B). The evaluation of the same 19 blocks in 2013 found only 353 on-street parking spaces, with 12 accessible. The City has increased the number of parking spaces but at the same time not increased the number of accessible parking spaces.

The compliance review of the on-street parking identified a variety of issues to be considered for corrective action at the appropriate time. Some issues (e.g., improved signage) are fairly low cost and would provide enhanced access and could be implemented quickly, where others that require additional investigation, design, or construction would be longer term solutions.

1. Table R214 requires one (1) accessible parking space for every 25 on-street parking spaces on each block perimeter up to 100 parking spaces, with one space per 50 between 101 and 200 spaces, and four percent (4%) where 201 or more on-street parking spaces are provided on a block. Compliance was an issue on a majority of the blocks in the City for providing the compliant number of accessible on-street parking spaces based on the total number of parking spaces on the block. Only 7 of 19 blocks provided any marked accessible spaces, with 6 of those meeting or exceeding the minimum number required for the block based on parking count. A total of 11 marked accessible spaces are provided within the downtown area, with 24 required based on parking counts of all marked spaces.
2. All parallel spaces are located where ROW width is less than 14', with most spaces located at the end of a block near a



providing no access aisle or curb ramp to



Example parallel space on W. Washington Street that is located at the end of the block near a curb ramp to access the PAR.

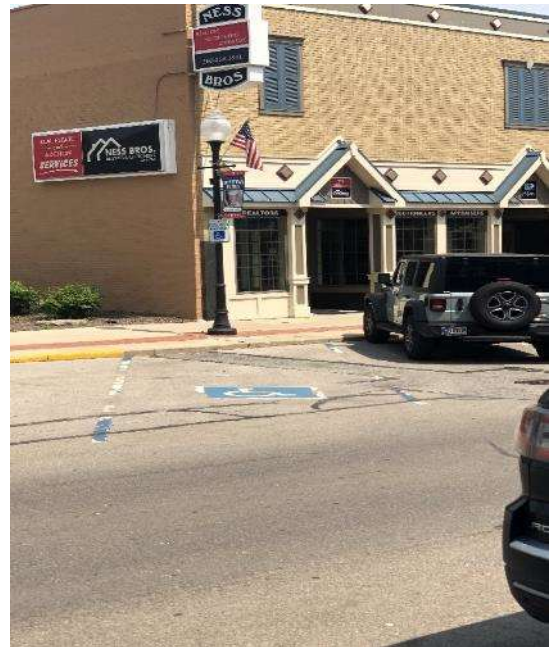
corner curb ramp (see Figure R309.2.2). There are some locations where the distance to the ramp is excessive and accessible spaces should be moved closer to the intersection.

3. Several angled accessible parking spaces do not provide the required adjacent access aisle and curb ramp access to the PAR (see Figure R309.3). Some angled spaces are adjacent to one another, with one space providing no means for deployment of a ramp on the side due to lack of an access aisle.
4. Some accessible spaces with an access aisle and curb ramp access to the PAR have non-compliance issues of the curb ramp, including vertical displacements and no level top landing.

Addressing the Issue of On-Street Parking:

The City's accessible on-street parking is deficient, failing to meet the required number of accessible spaces on 13 of 19 blocks, with only 7 of 19 blocks having at least one (1) accessible parking space. One (1) block provided an excess number of accessible spaces. The following issues should be explored and addressed to bring the City into compliance:

1. A study should be performed, which should include input from drivers with a disability, to determine the locations of facilities that should have accessible on-street parking nearby. The location of the accessible spaces that need to be added would generally be on each block that has on-street parking, though the provisions of R102 'Equivalent Facilitation' could be considered as a means to relocate accessible parking from one block to another where the resulting design provides substantially equivalent or greater accessibility and usability. The placement of accessible spaces should consider the existing facilities in the area and target the highest uses, including libraries, churches, public facilities, restaurants, banks, etc.
2. An evaluation of all existing on-street parking is needed to determine the best means to achieve compliance with the number of accessible spaces provided, as well as providing compliant access aisles, curb ramps, proximity to curb ramps, and/or signage as applicable. These improvements should be considered when alterations to the adjacent road/PAR are made to maximize efficiency.
3. Existing accessible parking spaces that are not near or nearest a corner curb ramp to access the PAR should be moved closer/closest to the curb ramp. If the distance is still excessive or there is a high use facility mid-block,



Example angled space on N. Jefferson Street that provides no access aisle or curb ramp. The nearest access to the PAR is a driveway to the parking lot at Rotary Centennial Park.



Example angled space on N. Jefferson Street that provides both an access aisle and curb ramp access to the PAR.

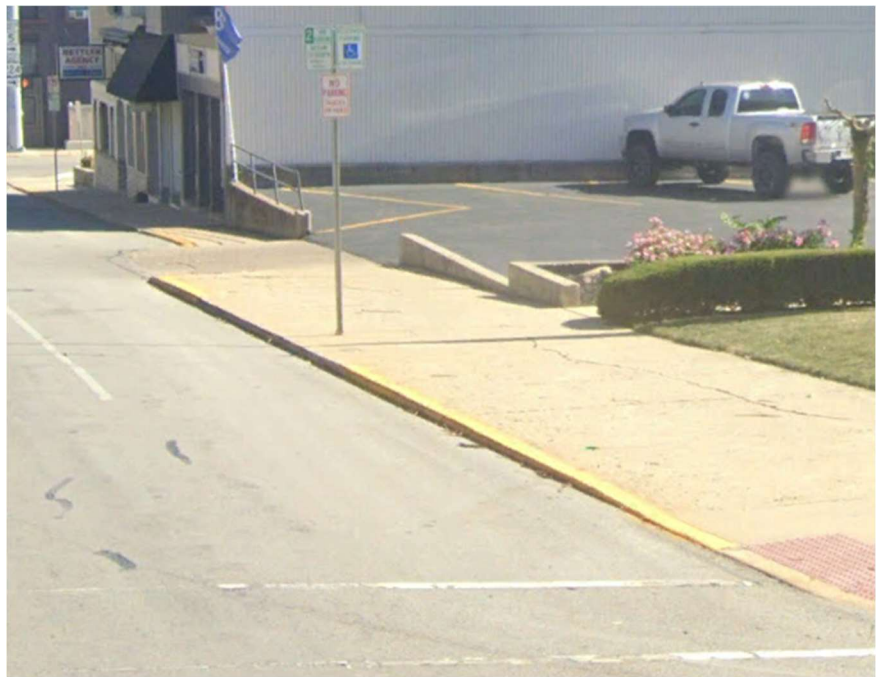
explore the feasibility of adding curb ramps where they are not required by PROWAG but would maximize accessibility.

4. Ensure that all spaces provide compliant signage, particularly since accessible spaces cannot generally be adjacent to another accessible space and meet the provisions of R309.
5. Ensure that any existing or future curb ramps provide a marked access aisle that discourages parking to ensure access to the ramp is available for users of mobility devices that cannot step up to a raised curb.

Given the non-compliant number of spaces provided, careful consideration is required to determine where additional accessible on-street parking spaces will be added. Each space will require a sign, at a minimum, with no need for pavement markings, though there is no prohibition on doing so and additional features (ISA on pavement, etc.) can help further identify accessible spaces. Costs for providing compliant accessible spaces in most locations are fairly low, with the addition of a compliant sign where spaces are added at a cost of \$150-300 each and some locations needing addition of a curb ramp, with additional costs for pavement markings if those are to be included. Total costs are estimated at \$19,000 but may vary based on a number of unknown factors. A higher cost is likely due to the need to perform the study to determine where to place them and field verification of conditions to ensure access to the PAR can be obtained.



Example angled spaces on N. Jefferson Street that are adjacent, with the space on the left



Parallel accessible parking space on N. Jefferson Street south of E. Tipton Street that is distant from the intersection curb ramp (approximately 45-50 feet).

4

Transition Plan



4.0 Transition Plan

The Transition Plan describes how Huntington will be transitioning to full compliance with the ADA and the applicable standards. Public entities, like the City, are required to provide access to City programs, services, and activities for all recipients. Thus, the City must provide access for individuals with disabilities and document areas of non-compliance. Additional documentation should be provided as barriers are removed.

If structural changes are identified to provide program accessibility as part of the self-evaluation, the ADA identifies specific elements to be included in the transition plan. At a minimum, the elements of the Transition Plan are:

- 1) A list of the physical barriers in the City's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities [[28 CFR 35.150 \(d\)\(3\)\(i\)](#)]
- 2) A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible [[28 CFR 35.150 \(d\)\(3\)\(ii\)](#)]
- 3) The schedule for taking the necessary steps to achieve compliance with Title II of the ADA. If the time period for achieving compliance is longer than one year, the plan should identify the interim steps that will be taken during each year of the transition period [[28 CFR 35.150 \(d\)\(3\)\(iii\)](#)]
- 4) The name of the official responsible for the plan's implementation. [[28 CFR 35.150 \(d\)\(3\)\(iv\)](#)]

The transition plan is a reaction to the findings of the facility audits, assessments of City policies, services, programs, and activities, and input from advocacy groups and the public. Recommended actions for City policies and programs can be found in Section 2.0.

The specific architectural and site improvement modifications required in the areas of facilities reviewed as part of this Transition Plan update to make programs accessible are listed in the Huntington City Facility Reports (see Appendix A). Facility reports include areas of buildings evaluated within the scope of this updated Transition Plan for limited areas of facilities operated by Huntington City. Each facility report contains a list of items that do not meet current ADASAD standards and barrier removal actions. Not all of these barriers must be removed by making renovations to the facilities in order to provide program compliance with the ADA. Removing barriers limiting access to programs or those which present a safety hazard should be the City's first priority. Additional requirements remain in other facilities and areas of facilities reviewed in 2012-2013 as part of the original Transition Plan.

4.1 Phasing of Corrections

A phased implementation of the required corrections to remove physical barriers at City-owned facilities is recommended and required. The City, like most Title II agencies, has limited funds and cannot immediately make all facilities fully compliant with ADA standards. Prior to setting priorities, baseline criteria needed to be established to develop a starting point for ranking the deficient facilities identified during the self-evaluation.

Site priorities were determined by evaluating each site's level of use, social need, civic function, and the general uniqueness of the site. At the time of the development of this report, few public complaints had been received about City-owned facilities. Complaints were not used as criteria to determine the phasing of improvements for any particular site, though future complaints could be the basis for funding improvements.

Each of these criteria is assumed to have equal weight and no priority over another:

- **Level of Use:** Is the facility utilized quite frequently and by a large cross-section of the public?
- **Social Need:** Does the facility provide a social service or program for less fortunate or transient citizens?
- **Civic Function:** Does the facility provide access to civic programs and services that implement the civil and political rights provided by the government?
- **General Uniqueness of the Site:** Does the building, facility, or site provide a distinct program or service that cannot occur at a different location or facility?

4.2 Public Outreach and Public Comments

Public participation on the 2013 Transition Plan was provided consistent with the requirements of the ADA. A draft Transition Plan was made available on the City's website, the HR Department, City Clerk's Office, and Main Branch of the Huntington City-Township Public Library for public review and comment from June 21, 2013 until July 8, 2013. Comments could also be provided via e-mail as advertised and posted. The public comments were incorporated in the final report. The final Transition Plan was then submitted to the Board of Public Works and Safety for public hearing and adoption at its regular meeting on July 8, 2013. No additional outreach was performed as part of this updated Transition Plan. The City should consider outreach during the implementation of their Transition Plan to solicit input on the prioritization of accessibility improvements and also ensure that complaints about accessibility are given a priority when the barrier can be corrected by alterations to facilities.

In creating priorities, it is the City's intent to evaluate all areas of potential deficiency and to make structural changes where necessary and equal accommodation cannot be made in another manner. The assignment of priorities is intended to facilitate public review and to address specific concerns of the local disabled community. It must be emphasized that it is the City's intention that all individuals with all types of disabilities be reasonably accommodated to provide access to all programs offered at all facilities.

The timing of the improvements by site within each transition phase will be determined by the City based on their preferences and criteria. In general, the required physical improvements to meet ADA specifications at City facilities were split into three priority groups:

- High priority improvements
- Medium priority improvements
- Low priority improvements

4.3 Priorities for Barrier Removal

In continuing to prioritize barrier removal, it should be the City's intent to evaluate all areas of potential deficiency and to make structural changes where necessary and when equal accommodation cannot be made in another manner, consistent with the discussion provided in the original Transition Plan. The timing of the improvements by site will need to be determined by the City based on their preferences and criteria as established by elected and appointed official, staff, and the public.

All barriers to access are not equal in the impact they have on persons with various disabilities to have equal access to City facilities or programs. Following evaluation of facilities and programs, a prioritization was done to identify a ranking system to utilize when determining which capital improvements need to be considered first and those that could be implemented in subsequent years. Barriers were prioritized based on the

subjective determination of the impact on ease of access, which was made by reviewing the existing conditions, amount of deviation from the applicable standard/guideline, and context of each situation. The highest priorities include barriers that would prohibit access or make use/access of an amenity extremely difficult. The priority is lessened as the deviation is reduced and for items that may be rarely used or not essential for a person with a disability to access a facility or program.

The City has utilized this prioritization to implement several accessibility improvements based on the previous Transition Plan. The following accessibility improvement projects have been completed:

- Replacement of PAR totaling approximately 16,000 sf
- Addition of power-assisted door openers at City Hall (2016)
- Renovation of restrooms on Level 1 and 3 of City Hall (2016)
- Addition of power-assisted door openers at City Services (2021)
- Replacement of accessible routes at Drover Park in conjunction with splash pad addition (2020)
- Alteration of 42 to 216 curb ramps annually (total of 926 curb ramps) between 2012 and 2022

The costs to remove barriers by priority for each non-ROW facility are shown in Table 4-1 and detailed for each facility in Appendix A. In addition, a time frame had to be identified to determine an average annual budget to consider. For the purposes of this report, a 20 year time frame was utilized. Using this, it is conceivable that at the end of 20 years, all non-compliant ADA issues would be addressed throughout all City-owned facilities. This assumes that standards and guidelines are not modified. This further assumes that funding is available each budget cycle to make the necessary improvements. It is highly unlikely given the economy that this is realistic, particularly when considering that there are also likely to be a large number of other improvements needed by the City as part of regular maintenance, upkeep, and repairs.

In some instances, it may be advantageous to construct all improvements at a site at once rather than correct the high priority barriers first and come back at a later date to correct the medium or low priority barriers. For some sites, the total cost of construction for the corrections requires that they be spread out over two or more phases. Huntington has the right to modify the priorities based on funding levels and changes in City programs, activities, and services to have flexibility in accommodating community requests and complaints. Interim resolutions, such as assigning aids, temporary signing for alternate routes or sites, and modifications of programs, activities, and services may be implemented at the City's discretion to handle existing insufficiencies or access complaints received. All costs noted in Appendix A and Table 4-1 are 2023 cost opinions, based on the conditions noted in each appendix, and subject to change based on market conditions, economic conditions, inflation, material selection, etc. Multiple phases of projects, multiple bidding packages, design parameters, etc. all have an impact on project costs that cannot be finitely identified in a study with this level of detail and uncertainty related to funding. No costs are included for design, inspection, or other costs likely to be incurred as part of any construction project at City facilities.

Based on the costs developed to address the architectural and engineering improvements required to fully comply with ADASAD, a total of approximately \$650,000 in improvements would be required (2023 costs) to achieve ADA compliance at all City building and park facilities listed. It is important to note at this point that many of the noted deficiencies are not significant barriers to access and some improvements are not required until such time as a major building renovation is completed. This does not avoid the need for Huntington to ensure all programs are accessible by some means. If Huntington were to set a goal for implementing all of the recommended improvements within a 20-year time frame, it would require an annual budget of approximately \$32,500 (in 2023 dollars) to bring all of the City facilities evaluated in the appendix

of this report up to current ADA standards (no inflation included). These costs do not include any costs associated with training of staff, staff time related to training or overseeing implementation, etc. A majority of the cost of improvements are in the City Courthouse, and specifically the courtrooms. Huntington City should form a committee comprised of court staff, judges, etc. to identify the most urgent access needs based on their experiences and features of each courtroom. There may be grants available to make some of these improvements and this should be investigated further.

TABLE 4-1. CITY OF HUNTINGTON – ADA SELF-EVALUATION STUDY AND TRANSITION PLAN					
Cost of Correction for Interior and Exterior Elements by Site					
Facility Name	Low Priority	Medium Priority	High Priority	2013 SETP Cost Estimate Adjusted	Total Project Cost
City Hall	\$24,800	\$7,000	\$2,100	\$19,594	\$53,494
City Services	\$7,200	\$850	\$500	n/a	\$8,550
Barks and Rec Dog Park	\$4,800	\$0	\$400	n/a	\$5,200
Drover Park	\$1,600	\$50	\$4,800	\$ 34,754	\$41,204
Elmwood Park	\$12,000	\$0	\$0	\$ 40,761	\$52,761
Erie Heritage Park	\$0	\$0	\$0	n/a	\$0
General Slack Park	\$0	\$50	\$0	\$24,151	\$24,201
Hier's Park	\$0	\$1,160	\$0	\$38,033	\$39,193
Landfill	\$3,965	\$200	\$0	n/a	\$4,165
Laurie Park	\$400	\$3,840	\$0	\$24,365	\$28,605
Memorial Park	\$6,100	\$8,600	\$0	\$69,265	\$83,965
Police Department	\$7,150	\$2,500	\$300	n/a	\$9,950
Public Parking Lots	\$950	\$0	\$0	n/a	\$950
Rotary Centennial Park	\$100	\$0	\$0	n/a	\$100
Schenkel Station	\$3,950	\$2,850	\$300	n/a	\$7,100
Sunken Gardens	\$0	\$0	\$0	\$18,244	\$18,244
Yeoman Park	\$1,900	\$2,500	\$0	\$50,236	\$54,636
Airport				\$25,845	\$25,845
Fire Station #1				\$39,108	\$39,108
Fire Station #3				\$ 5,120	\$5,120
Hier's Park 4-H Building				\$23,008	\$23,008
Hier's Park Family Living Building				\$14,098	\$14,098
Hier's Park Heritage Hall				\$24,661	\$24,661
Evergreen Park				\$33,679	\$33,679
Homier Park				\$50,222	\$50,222
Shakespeare Gardens				\$ 1,774	\$1,774
TOTALS	\$74,915	\$29,600	\$8,400	\$536,918	\$649,833

Notes:

1. Limited areas of several facilities were evaluated as noted within this report. Costs within the 2013 SETP in the areas that were re-evaluated in 2023 have been removed in only those areas and had a 3% annual inflation cost added since 2013 (10 years).
2. A number of the corrective actions identified and costed out would not be required if equal facilitation/access is provided in another manner, or changes are made to the City's procedures. Other non-compliant items have low cost alternatives until permanent solutions are implemented.
3. Costs included are only to provide compliance under Title II of the ADA and is limited to areas of City facilities open and accessible to the public at all times. This does not eliminate the need for the City to provide accessibility for employees with disabilities, as needed, to allow them to perform their required job duties. Cost includes only construction estimates.
4. Actual schedule for implementation of the Transition Plan is dependent on a number of factors unknown at the time of preparation of the Transition Plan, including, but not limited to: availability of funding with the City budget, reprioritization based on input from disabled persons, award of grants or other funding to make corrective actions, changes to the ADA Accessibility Guidelines or other guidance that is not available at this time, etc.

Huntington should identify the most urgent access needs at the various facilities based on their experiences, other capital projects, and the results of the self-evaluation. A review of facility utilization and programs provided at each is critical to assisting in prioritizing which facilities should be given priority for improvements and order in which improvements should be completed. However, the facility prioritization should not be looked at in a vacuum, as improvements at lower use facilities may still warrant consideration for improvements in the near future if a barrier exists to program access. Facilities have been placed into three tiers based on their utilization by the public and programs provided at each. Note that some areas of facilities may fall within a lower or higher tier. Tier 1 facilities have the highest use and should be the first priority, with Tier 2 facilities to follow. Tier 3 facilities are relatively low use for the public or have only employee common-use areas that require corrective actions. The facilities in each tier are as follows:

Table 4-2. Huntington building and park facility tier listing for prioritization.

Tier 1	Tier 2	Tier 3
City Hall	Municipal Parking Lots	Police
City Services	General Slack Park	Fire Stations 1 and 3
Drover Park	Schenkel Station	Huntington Municipal Airport
Memorial Park	Elmwood Park	Water Pollution Control
Hier's Park	Homier Park	Evergreen Park
	Laurie Park	Erie Heritage Park
	Barks and Recreation Dog Park	Sunken Gardens
	Yeoman Park	Rotary Centennial Park

In addition, utilizing costs from the 2013 Transition Plan for ROW facilities, the City appears to have addressed 926 of 1606 curb ramps (58%) in the past 10 years, putting them on track with the same pace of correction to address all curb ramps in the next 10 years. Progress on sidewalks is not complete, with a much smaller percentage of the 28 miles of non-compliant sidewalks being corrected. The City should consider updating the sidewalk inventory in the near future to assist in making informed decisions about the priority for sidewalk corrections and seek funding for construction for all available sources.

4.4 Transition Plan Phasing

One of the most important compliance efforts for a Title II entity is to ensure that all programs provided to the public are accessible in some manner. Often there are short-term or temporary accommodations that can be made to provide this accessibility. Where these types of accommodations can be made, the priority for permanent corrections is reduced until an alteration is made to correct architectural barriers. Often, removal of architectural barriers can be accomplished during implementation of normal maintenance activities at the various facilities or as part of other capital improvements already anticipated.

An entity as large as Huntington has the daunting task of reviewing a large number of facilities and programs to ensure access is provided. The programs of the City cross numerous departments and facilities, with some programs not being provided in City-owned facilities (primarily recreation). The phasing of improvements for accessibility is not something to typically be done by any one individual without consultation of various department heads. The completion of this Transition Plan Update is a key step to identifying the required facility and programmatic access needs. The next logical step is the formation of a committee of key department heads to review the results and formulate a strategy and capital improvement plan to make the necessary alterations. This committee is typically chaired by the ADA Coordinator and Facilities Department, with participation by departments responsible for ROW facilities. Procedural and other changes that cross department lines should also be reviewed by a committee of key department heads, typically chaired by the

ADA Coordinator/Human Resources Director. Changes within departments can be done by each department head for their individual department.

Generally, the improvements to be made are often suggested in the following order, though there may be facilities where the prioritization may differ. The prioritization noted below may not apply strictly to all situations and previous discussions on prioritization should also be considered:

1. Approach and Entrance – compliant parking, accessible route from parking to the public accessible entrance, and an accessible entrance are essential to providing a way for disabled users to be able to enter a facility. Without a means of getting into a facility, any amenities or programs inside are not accessible even if all items inside comply with ADA standards.
2. Access to Services – within each facility, ensuring that all programs have an accessible route and are physically accessible. This especially includes access to assembly areas, meeting spaces, service counters, and other public uses. As noted earlier, in some cases it may be possible to modify the location of a program within an accessible facility or provide equivalent facilitation to provide the same service level to the disabled until physical improvements can be completed.
3. Restroom Access – access to a compliant, wheelchair accessible restroom, preferably one per floor for each gender or unisex. In many facilities that do not provide compliant restrooms, additional investigation is required to determine the extent and feasibility of alterations. This is especially true when the number of fixtures may be reduced, as these are set by other codes. In the absence of being able to provide fully compliant facilities, there are provisions to provide facilities that comply with ADA to the greatest extent possible without violating other codes. However, in the absence of providing something that is usable, other options may be a better solution.
4. Other Access – access to lower priority items, such as drinking fountains, electrical outlets, etc.

Considering the above general recommendations, each facility needs to focus on the above priority order for improvements. Highest use facilities need to have improvements done to provide at least basic access to programs or determine another means to provide access. That could include relocating a program elsewhere within the facility that is accessible or relocating a program to an accessible facility until it can be accessible at its current location. Utilization of signage to identify the location of the accessible routes and entrances, accessible restroom locations, etc. can be very helpful until all necessary improvements can be made.

The ADA Coordinator, possibly through an ADA Committee, should work closely with the City Council to make funding available where possible to make the most urgent improvements to ensure all programs are accessible. Note that actual phasing, transitioning of improvements, etc. can be impacted by a number of factors that may be unknown currently, as well as economic conditions, grant opportunities, etc. The City is committed to becoming ADA compliant within the confines of preserving existing programs and services to all and budgetary limitations. Many of the items that are not compliant with current standards may be compliant with previous standards and are not required to be modified until a building renovation is completed. Any facility changes after the sites were surveyed are not reflected in these basic cost estimates. Additionally, it is the City's responsibility, as required by the ADA mandate, to regularly update the Transition Plan based on the latest requirements of the ADA and relevant standards and guidance and to document constructed improvements and facilities that are brought up to current ADA standards. Finally, the site surveys performed for this report are not to design level detail and are intended to be used to give a framework to the Transition Plan. When the Transition Plan is approved, and the planning stages are begun for implementation of the first improvements, a more detailed survey of each site may need to be performed, and improvements designed by licensed professionals that are knowledgeable with ADA as well

as all other applicable codes, including building and fire codes. At this time, costs are estimated but precise costs cannot be determined until final design, and the Transition Plan should be adjusted to reflect this knowledge.

Note that if any complaints are received regarding access to specific facilities or City programs, it may alter the priorities of the improvements. If the City receives complaints about access at a particular site that is not slated for upgrades for several years, they should consider adjusting the Transition Plan phasing to accommodate the implementation of improvements to be sooner or as necessary.

4.5 Plan Updates and Enforcement

Changes to the City's policies and programs should be drafted, implemented, and documented by the ADA Coordinator. Examples of some of these changes were provided in the Self-Evaluation in Chapter 2. These changes should have little cost of implementation, mainly consisting of the time to develop the language of the policy and program changes, time to train City staff, and administrative costs. Some of the suggested language for City ADA documentation has been suggested in this report, but these suggestions are not exhaustive. It is also important for the ADA Coordinator to receive the necessary training to implement this Transition Plan and keep apprised of changes to ADA standards and guidelines.

5

ADA Tool Kit



5.0 ADA Tool Kit

5.1 Introduction

In order to facilitate access to all City programs and departments, the City will maintain program accessibility guidelines, standards, and resources. This information is available to all employees and volunteers. The City will add to these guidelines when necessary to address its needs and include information and technological devices that help staff and volunteers communicate with individuals with a variety of disabilities. The City will periodically review the components of this section, as new technologies are developed in order to ensure that the best types of modifications are included. This section also contains the accessibility standards of care that govern new construction and alterations to facilities.

If you need any additional assistance, please contact:

Ronda Smelser, ADA Coordinator
Phone: (260) 356-1400 x 2004
Email: Ronda.Smelser@huntington.in.us

5.2 Federal Accessibility Standards and Regulations

U.S. Department of Justice

The U.S. DOJ provides many free ADA materials including the ADA text. Printed materials may be ordered by calling the ADA Information Line [(800) 514-0301 (Voice) or (800) 514-0383 (TTY)]. Publications are available in standard print as well as large print, audiotape, Braille, and computer disk for people with disabilities. Documents, including the following publications, can also be downloaded from the DOJ website (www.ada.gov).

The ADA publications identified below may not have been updated to reflect the revisions to the ADA regulations that took effect on March 15, 2012.

- *ADA Regulation for Title II*. This publication describes Title II of the ADA (www.ada.gov/regs2010/ADAregs2010.htm#titleII_final_2010), Pub. L. 101-336, which prohibits discrimination on the basis of disability by public entities. Title II of the ADA protects qualified individuals with disabilities from discrimination on the basis of disability in the services, programs, or activities of all state and local governments. This rule adopts the general prohibitions of discrimination established under Section 504, as well as the requirements for making programs accessible to individuals with disabilities and for providing equally effective communications. It also sets forth Standards for what constitutes discrimination on the basis of mental or physical disability, provides a definition of disability and qualified individual with a disability, and establishes a complaint mechanism for resolving allegations of discrimination.
- *Title II Technical Assistance Manual (1993) and Supplements*. This 56-page manual (www.ada.gov/taman2.html) explains in lay terms what state and local governments must do to ensure that their services, programs, and activities are provided to the public in a nondiscriminatory manner. Many examples are provided for practical guidance.
- *Accessibility of State and Local Government Websites to People with Disabilities*. This is a 5-page publication providing guidance (www.ada.gov/websites2.htm) on making state and local government websites accessible.

U.S. Access Board

The full texts of Federal laws and regulations that provide the guidelines for the design of accessible facilities and programs are available from the U.S. Access Board. Single copies of publications are available free and can be downloaded from the Access Board's website (<https://www.access-board.gov/>). In addition to regular print, publications are available in large print, disk, audiocassette, and Braille. Multiple copies of publications can be ordered by sending a request to pubs@access-board.gov. In addition to the guidelines, guidance material is also available to assist staff in understanding and implementing Federal accessibility guidelines.

The following publications are currently available from the U.S. Access Board.

Guidelines and Standards for Facilities

Federal guidelines and standards are subject to periodic revision based on research findings and guidance from advisory committees. The City should have a regular practice of reviewing research materials posted to the U.S. Access Board's website and updating local guidelines and practices as new standards are adopted or existing standards are revised.

- *ADA Standards for Accessible Design (ADASAD)*. This document (www.ada.gov/2010ADASTandards_index.htm) contains scoping and technical requirements for accessibility to buildings and facilities by individuals with disabilities under the ADA, including special provisions where applicable for elements designed specifically for children ages 12 and under. These scoping and technical requirements are to be applied during the design, construction, and alteration of buildings and facilities covered by Titles II and III of the ADA to the extent required by regulations issued by Federal agencies, including the DOJ and the DOT, under the ADA.
- *Accessibility Guidelines for Play Areas*. The Access Board has developed accessibility guidelines for newly constructed and altered play areas. This bulletin is designed to assist in using the play area accessibility guidelines and provides information regarding where the play area guidelines apply, what a play component is considered to be, how many play components must be an accessible route, and the requirements for accessible routes within play areas. (www.access-board.gov/guidelines-and-standards/recreation-facilities/guides/play-areas)
- *Accessibility Guidelines for Recreation Facilities*. The Access Board issued accessibility guidelines for newly constructed and altered recreation facilities in 2002. The recreation facility guidelines are a supplement to ADASAD. They cover the following facilities and elements: amusement rides, boating facilities, fishing piers and platforms, miniature golf courses, golf courses, exercise equipment, bowling lanes, shooting facilities, swimming pools, wading pools, and spas. These summaries were updated following issuance of ADASAD (<https://www.access-board.gov/guidance.html>).
- *Accessibility Guidelines for Federal Outdoor Developed Areas*. The Access Board developed accessibility guidelines for the construction and alteration of facilities covered by the Americans with Disabilities Act (ADA) of 1990 and the Architectural Barriers Act (ABA) of 1968. The guidelines ensure that the facilities are readily accessible to and usable by people with disabilities. The Access Board issued the current guidelines in 2004, which contained provisions for several types of recreation facilities, including boating facilities, fishing piers and platforms, golf facilities, play areas, sports facilities, and swimming pools. The Access Board amended the 2004 guidelines in 2013 by adding new provisions for trails, picnic and camping facilities, viewing areas, and beach access routes constructed or altered by Federal agencies or by non-federal entities on Federal land on behalf of a Federal agency pursuant to a concession contract, partnership agreement, or similar arrangement. (<https://www.access-board.gov/files/aba/guides/outdoor/outdoor-guide.pdf>).

Guidance Material and Advisory Reports for Facilities

The following publications provide additional information on specific aspects of the above guidelines and standards for facilities. Employees are encouraged to refer to these publications to obtain more detailed and up-to-date information when evaluating and implementing accessibility improvements to facilities. Note that several websites have been reconfigured and some outdated information removed. Some web addresses or hyperlinks may not be functional and not all information contained in the documents references current standards.

- *U.S Access Board Technical Guide, Using the ADA Standards*. This document covers the facilities covered by the ADA, the ADA regulations, and the ADA accessibility standards. (<https://www.access-board.gov/files/ada/guides/using-ADASTandards.pdf>)
- *Detectable Warnings Update (March 2014)*. Currently, the Access Board is in the process of developing guidelines on public rights-of-way that, once finalized, will supplement the new ADASAD and be the enforceable standard for ROW facilities. This update was expected in 2013 but as of publication of this SETP is still pending. While ADASAD covers various features common to public streets and sidewalks, such as curb ramps and crosswalks, further guidance is necessary to address conditions unique to public ROW. Constraints posed by space limitations at sidewalks, roadway design practices, slope, and terrain raise valid questions on how and to what extent access can be achieved. Guidance on providing access for blind pedestrians at street crossings is also considered essential. This bulletin outlines the requirements of detectable warnings, a distinctive surface pattern of domes detectable by cane or underfoot, which are used to alert people with vision impairments of their approach to streets and hazardous drop-offs. Note that detectable warnings are required in very few locations outside of the public ROW and are often installed in parking lots and similar site conditions where they are not required and should not be placed. Overuse of detectable warnings can lead to confusion for persons with vision loss and can create unsafe conditions for persons using mobility devices. (<https://www.access-board.gov/prowag/other/dw-update.html>)
- *Assistive Devices for People with Hearing, Voice, Speech, or Language Disorders*. The terms assistive device or assistive technology can refer to any device that helps a person with hearing loss or a voice, speech, or language disorder to communicate. These terms often refer to devices that help a person to hear and understand what is being said more clearly or to express thoughts more easily. With the development of digital and wireless technologies, more and more devices are becoming available to help people with hearing, voice, speech, and language disorders communicate more meaningfully and participate more fully in their daily lives. Health professionals use a variety of names to describe assistive devices:
 - *Assistive Listening Devices (ALDs)* – help amplify the sounds you want to hear, especially where there’s a lot of background noise. ALDs can be used with a hearing aid or cochlear implant to help a wearer hear certain sounds better.
 - *Augmentative and Alternative Communication (AAC) Devices* – help people with communication disorders to express themselves. These devices can range from a simple picture board to a computer program that synthesizes speech from text.
 - *Alerting Devices* – connect to a doorbell, telephone, or alarm that emits a loud sound or blinking light to let someone with hearing loss know that an event is taking place.

Information about assistive devices can be found at www.nidcd.nih.gov/health/assistive-devices-people-hearing-voice-speech-or-language-disorders.

Guidelines for Transportation

- *ADA Accessibility Guidelines for Transportation Vehicles*. This publication provides minimum guidelines and requirements for accessibility standards for transportation vehicles required to be accessible by the ADA, including over-the-road bus and tram systems. (www.access-board.gov/guidelines-and-standards/transportation/vehicles/adaag-for-transportation-vehicles).
- *ADAAG for Transportation Vehicles; Over-the-Road Buses*. This publication outlines the amendments to the accessibility guidelines for over-the-road buses (OTRB) made by the Architectural and Transportation Barriers Compliance Board and the DOT to include scoping and technical provisions for lifts, ramps, wheelchair securing devices, and moveable aisle armrests. Revisions to the specifications for doors and lighting are also adopted. The specifications describe the design features that an OTRB must have to be readily accessible to and usable by persons who use wheelchairs or other mobility aids. (<https://www.access-board.gov/guidelines-standards/vehicles/update-buses-vans/guidelines-text/>)
- *American Association of State Highway and Transportation Officials (AASHTO)*. AASHTO is the organization that maintains the “Green Book” for design of roads and highways and has begun to address accessibility of pedestrian networks. Several AASHTO publications, which can be ordered from the AASHTO website (<https://www.transportation.org/>), address accessible circulation systems, including: *AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities* (1st edition) and *Guide for the Development of Bicycle Facilities* (3rd edition).
- *Federal Transit Administration (FTA)*. FTA regulates and enforces requirements of the ADA covering transportation facilities and systems. FTA maintains a technical assistance line on ADA questions (888-446-4511) and on their website (www.fta.dot.gov).
- *Securement of Wheelchairs and Other Mobility Aids on Transit Vehicles*. As a public or private transit authority, the responsibility of safe, efficient service from public agencies who offer transportation services has been enlarged to affording ridership to people using a wide variety of mobility aids. In considering not only the many types of mobility aid devices, but also the variety and sizes of lifts, and the numerous makes of buses and vans, it can be easily seen that there is no single, definitive solution to accessibility on mass transit vehicles. Various publications can be found that report on the experience of transit agencies that have taken the initiative to involve the ridership in needs assessment and have established policies, educated operators, and informed the public to achieve greater accessibility in their bus transit systems. See the example at trid.trb.org/view/362763.

Guidance Material for Communication

- *Information and Communication Technology, Revised 508 Standards and 255 Guidelines*. These standards address access to information and communication technology (ICT) under Section 508 of the Rehabilitation Act and Section 255 of the Communications Act. Section 508 requires access to ICT developed, procured, maintained, or used by federal agencies. Examples include computers, telecommunications equipment, multifunction office machines such as copiers that also operate as printers, software, websites, information kiosks and transaction machines, and electronic documents. The Section 508 Standards, which are part of the Federal Acquisition Regulation, ensure access for people with physical, sensory, or cognitive disabilities. The Section 255 Guidelines cover telecommunications equipment and customer-premises equipment — such as telephones, cell phones, routers, set-top boxes, and computers with modems, interconnected Voice over Internet Protocol products, and software integral to the operation of telecommunications function of such equipment. (<https://www.access-board.gov/ict/#508-chapter-1-application-and-administration>).

Federal guidelines and standards are subject to periodic revision based on research findings and guidance from advisory committees. The City should have a regular practice of reviewing research materials posted to the U.S. Access Board's website and updating local guidelines and practices as new standards are adopted or existing standards are revised.

5.3 Resources for Providing Accessible Programs & Facilities

- *ADA Document Portal*: This website (adata.org/ada-document-portal) provides links to more than 7,400 documents on a wide range of ADA topics. The ADA Document Portal is supported by the 10 ADA & IT Technical Assistance Centers.
- *The U.S. Department of Labor, Office of Disability Employment Policy*: www.dol.gov/odep/: The Office of Disability Employment Policy (ODEP) is the only non-regulatory federal agency that promotes policies and coordinates with employers and all levels of government to increase workplace success for people with disabilities.
- *National Center on Accessibility (NCA)*: The Center (<http://ncaonline.org>) is a cooperative effort between the National Park Service (NPS) and Indiana University to provide information and technical assistance, primarily on recreation access. An example of the research activities of the NCA is the National Trails Surface Study. Initiated in 2005, this longitudinal study is primarily the result of questions that the National Center on Accessibility has, for many years and continues to receive from organizations, agencies and individuals who desire to make their trails accessible; are interested in an unobtrusive surface that blends and is friendly to the environment; and provides a quality trail experience for people with and without disabilities.
- *National Center on Health, Physical Activity, and Disability*: Founded in 1999, the National Center on Health, Physical Activity, and Disability (NCHPAD) is a public health practice and resource center on health promotion for people with disability. NCHPAD seeks to help people with disability and other chronic health conditions achieve health benefits through increased participation in all types of physical and social activities, including fitness and aquatic activities, recreational and sports programs, adaptive equipment usage, and more. (<https://www.nchpad.org/>)
- *National Park Service*: NPS has many programs that address the issue of providing accessible recreation services to people with disabilities. These include Wilderness Accessibility for People with Disabilities (www.ncd.gov/publications/1992/December1992#8-1a) and Director's Order #42-Accessibility, which establishes the purpose and role of the NPS Accessibility Program (www.nps.gov/accessibility.htm), lists applicable laws, standards, and authorities, implementation strategies, roles, and responsibilities. It also addresses NPS policies and provides links to additional information sources.

5.4 Technical Resources

The City should utilize the many disability-related resources available through the internet. A former source to begin at was AbleData, which was maintained by the National Institute on Disability and Rehabilitation Research of the U.S. Department of Education. AbleData was discontinued in September 2020 due to a realignment of the National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR) and no information was provided about when or if the resources previously available (over 40,000) would be provided in the future (<https://acl.gov/about-acl/about-national-institute-disability-independent-living-and-rehabilitation-research>). The previous AbleData site provided up-to-date links to assistive technologies and disability-related resources and to provide objective information on such assistive products as:

- *Aids for Daily Living*: Products to aid in activities of daily living, including bathing, carrying, childcare, clothing, dispenser aids, dressing, drinking, feeding, grooming/hygiene, handle padding, health care, holding, reaching, time, smoking, toileting, and transfer.
- *Blind and low vision*: Products for people with visual disabilities, including computers, educational aids, information storage, kitchen aids, labeling, magnification, office equipment, orientation and mobility, reading, recreation, sensors, telephones, tools, travel, typing, and writing (Braille).
- *Communication*: Products to help people with disabilities related to speech, writing, and other methods of communication, including alternative and augmentative communication, signal systems, telephones, typing, and writing.
- *Computers*: Products to allow people with disabilities to use desktop and laptop computers and other kinds of information technology including software, hardware, and computer accessories.
- *Controls*: Products that provide people with disabilities with the ability to start, stop, or adjust electric or electronic devices, including environmental controls and control switches.
- *Deaf and hard of hearing*: Products for people with hearing disabilities, including amplification, recreational electronics, signal switches, and telephones.
- *Deaf and blind*: Products for people who are both deaf and blind.
- *Education*: Products to provide people with disabilities with access to educational materials and instruction in school and in other learning environments, including classroom and instructional materials.
- *Environmental Adaptations*: Products that make the built environment more accessible, including indoor environment, furniture, outdoor environment, vertical accessibility, houses, polling place accessibility, lighting, and signs.
- *Housekeeping*: Products that assist in cooking, cleaning, and other household activities, as well as adapted appliances. Includes food preparation, housekeeping, cleaning, ironing, laundry, and shopping.
- *Orthotics*: Braces and other products to support or supplement joints or limbs.
- *Prosthetics*: Products for amputees, including lower and upper extremity.
- *Recreation*: Products to assist people with disabilities with their leisure and athletic activities, including crafts, electronics, gardening, music, photography, sewing, sports, and toys.
- *Safety and Security*: Products to protect health and home, including alarm and security systems, childproof devices, electric cords, lights, and locks.
- *Seating*: Products that assist people to sit comfortably and safely, including seating systems, cushions, and therapeutic seats.
- *Therapeutic Aids*: Products that assist in treatment for health problems and therapy and training for certain disabilities, including ambulation training, biofeedback, evaluation, exercise, fine and gross motor skills, perceptual motor, positioning, pressure/massage modality equipment, respiratory aids, rolls, sensory integration, stimulators, therapy furnishings, thermal/water modality equipment, and traction.
- *Transportation*: Products to enable people with disabilities to drive or ride in cars, vans, trucks, and buses, including mass transit vehicles and facilities, vehicles, and vehicle accessories.
- *Walking*: Products to aid people with disabilities who are able to walk or stand with assistance, including canes, crutches, and walkers.
- *Wheeled mobility*: Products and accessories that enable people with mobility disabilities to move freely indoors and outdoors, including wheelchairs (manual, sport, and powered), wheelchair alternatives (scooters), wheelchair accessories, transporters, stretchers, and carts.
- *Workplace*: Products to aid people with disabilities at work, including agricultural equipment, office equipment, tools, vocational assessment, vocational training, and workstations.

Assistive Technology Vendors and Service Providers

- National Center for Accessible Media – A research and development facility dedicated to the issues of media and information technology for people with disabilities in their homes, schools, workplaces, and communities. NCAM has developed an authoring tool to make web- and CD-ROM-based multimedia materials accessible to persons with disabilities. Called Media Access Generator (MAGpie, versions 1.0 and 2.01) create captions and audio descriptions of rich media and can be downloaded on their website (ncam.wgbh.org).
- American Sign Language Interpreters – A pool of on-call American Sign Language (ASL) interpreters should be developed. This list should be routinely updated to ensure their availability. Some programs may need to have a pool of interpreters who are available on a 24-hour basis to handle emergency procedures. The required qualifications of these interpreters should be established. Many non-certified interpreters provided by local services may have excellent skills and be qualified to handle most circumstances. However, unique circumstances, such as the provision of emergency medical services, may require interpreters who are approved by the courts and can ensure a level of confidentiality. Resources and contacts for qualified sign language interpreters and information for the deaf and hard of hearing are at the following locations. Inclusion or exclusion of contacts below is neither an endorsement nor disapproval of their qualifications or abilities. There are a number of additional firms that provide ASL interpretation services:
 - Deaf & Hard of Hearing Services (DHHS), Division of Disability & Rehabilitative Services (DDRS), 402 W. Washington St., Rm. W453, P.O. Box 7083, Indianapolis, IN 46207-7082, 1-800-545-7763, <http://www.in.gov/fssa/ddrs/2637.htm>
 - LUNA Language Services (<https://luna360.com/>) – provides qualified interpreters for on-site ASL interpreting services across the state of Indiana, including Certified Deaf Interpreters (CDIs). Also capable of fulfilling out-of-state appointments when needed, either on-site or via video remote interpreting (VRI). Their ASL Department can provide:
 - Tactile interpreting services
 - Manual forms of English
 - Oral interpreting
 - Real-time captioning and Communication Access Real-Time Translation (CART) services
 - Video Remote Interpreting (VRI)
 - ASL Video Translation
 - Registry of Interpreters for the Deaf – a national membership organization, they play a leading role in advocating for excellence in the delivery of interpretation and transliteration services between people who use sign language and people who use spoken language. In collaboration with the Deaf community, RID supports our members and encourages the growth of the profession through the establishment of a national standard for qualified sign language interpreters and transliterators, ongoing professional development and adherence to a code of professional conduct (www.rid.org/). The Indiana Chapter of Registry of Interpreters for the Deaf (ICRID) is an affiliate chapter of RID and located on the grounds of the Indiana School for the Deaf in Indianapolis (<https://www.icrid.org/>).
 - Deaf Services Center, Inc. – Empowers those who have hearing loss or are non-English users to fully access the English language in communicating with others. (<https://www.dsc.org/>)
 - Propio Language Services (<https://propio-ls.com/propio-one/>) provides on-demand audio, video, web conferencing, and telehealth interpretation services, as well as in-person interpretation. Based in Overland Park, Kansas, Propio provides a wide variety of services, including an app (Propio ONE) that can be used over smart devices for VRI and over-the-phone interpretation services with a subscription.

- Assistive Technology
Systems and devices amplify sound for persons with hearing disabilities should be available for public meetings and conferences. Different types of devices are more suitable for different types of hearing disabilities. Devices should be chosen to accommodate the greatest number of individuals.
 - *Relay Indiana*: Relay Indiana, a service of InTRAC, is a free service that provides full telecommunications accessibility to people who are deaf, hard of hearing, or speech impaired. This service allows users with special telecommunication devices to communicate with standard users through specially trained Relay Operators. InTRAC also provides free, loaned equipment to those who qualify.
 - *Indiana Assistive Technology Act (INDATA) Project*: Easterseals Crossroads has been providing assistive technology solutions in Indiana since 1979. In 2007, Easterseals Crossroads partnered with the State of Indiana, Bureau of Rehabilitative Services to establish the Indiana Assistive Technology Act (INDATA) Project. The INDATA Project is one of 56 similar federally-funded projects designed to increase access and awareness of assistive technology.
<https://www.eastersealstech.com/about/the-indiana-assistive-technology-indata-project/> and <https://www.indata.at4all.com/>.
 - *Relay Indiana*: Relay Indiana, a service of Indiana Telephone Relay Access Corporation (InTRAC), is a free service that provides full telecommunications accessibility to people who are deaf, hard of hearing, or speech impaired. This service allows users with special telecommunication devices to communicate with standard users through specially trained Relay Operators. InTRAC also provides free, loaned equipment to those who qualify. (<https://relayindiana.com/>)
 - *Closed Caption Machine* - To the extent practical, City divisions should have access to a device for encoding closed captioning on films and videotapes used for training and other programs.
 - *Enlarging Printed Materials* - A copy machine capable of enlarging printed materials should be available for each site where programs or transaction counter services are provided to the public.
 - *Optical Readers* - Equipment that can translate printed information into an audio format should be available to Departments.
 - *TDD* - To the extent necessary, City Divisions should have access to a text telephone or have access to a telephone transfer service as required by the law and offered by public telephone companies.
 - *TDI* – TDI's (formerly known as Telecommunications for the Deaf and Hard of Hearing, Inc.) mission is to promote equal access in telecommunications and media for people who are deaf, hard of hearing, late deafened, or deaf blind. TDI's online resources (tdiforaccess.org/) include information about telecommunications access such a TTY, pagers, telephony, VoIP, and more.

Guide to Disabilities and Disability Etiquette

The National Organization on Disability reports that more than 59 million Americans have a disability. This section is for anyone — with or without a disability — who wants to interact more effectively with people who are disabled. The ADA was conceived with the goal of integrating people with disabilities into all aspects of American life, particularly the workplace and the marketplace. Sensitivity toward people with disabilities is not only in the spirit of the ADA, it makes good business sense. It can help the City expand its services to citizens, better serve its customers and improve relationships with its employees.

There are a number of excellent resources available on disability etiquette, including:

- United Spinal Association – publishes a disability etiquette guide that offers tips on interacting with people with disabilities (<https://unitedspinal.org/disability-etiquette/>).
- Job Accommodation Network (JAN) – information on recruitment, interview, new employee, and workplace etiquette (<https://askjan.org/topics/disetiq.cfm>) and there is also a link to a downloadable

publication on this important topic (<https://askjan.org/publications/Topic-Downloads.cfm?pubid=962715&action=download&pubtype=pdf>)

A summary to disabilities and disability etiquette has been included below. The information will allow staff members to become familiar with a variety of types of disabilities and help them to be more sensitive to the abilities and needs of people with disabilities in order not to offend or demean them. The guide should be periodically updated to ensure that it includes current acceptable language for talking about disabilities.

When supervisors and co-workers use disability etiquette, employees with disabilities feel more comfortable and work more productively. Practicing disability etiquette is an easy way to make all people feel more comfortable and welcomed in their environment.

There is no reason to feel awkward when dealing with a person who has a disability. This section provides some basic tips for City staff to follow. If a City employee is ever unsure how to best serve a person with a disability, just ask them.

- **Ask Before You Help** – Just because someone has a disability, don't assume he/she needs your help. If the setting is accessible, people with disabilities can usually get around fine without assistance. Adults with disabilities want to be treated as independent people. Offer assistance only if the person appears to need it. If they do want help, ask what type of help they would like before you offer any assistance. What you think they may need may not be what they really need.
- **Do Not Touch!** – Some people with disabilities depend on their arms for balance. Grabbing them – even if you mean well – could knock them off balance and create an injury. This is especially true of a person using a cane, crutches, or walker. When someone is in a wheelchair, never pat their head or touch their wheelchair (or scooter) without permission. This equipment is part of their personal space and touching it is considered rude.
- **Engage Your Mind Before Engaging Your Mouth** – Always speak directly to the person with the disability NOT to their companion, aide, or sign language interpreter. Making small talk with a person who has a disability is great; just talk to him/her like you would anyone else. Respect his/her privacy and don't ask questions about their disability unless they invite the discussion. If you are with a child who asks, don't make the situation awkward for everyone; let the person with the disability respond directly to the child. They are used to children's questions.
- **Make No Assumptions** – People with disabilities are the best judge of what they can or cannot do. Do not make any decisions for them about participating in any activity or what they may or may not be able to do. Simply respond to their questions and let them make their own decisions. Depending on the situation, it may be a violation of the ADA to exclude someone because of a wrong decision on what they're capable of doing.
- **Respond Graciously to Requests** – When people who have a disability ask for an accommodation at a City-owned property, it is not a complaint. It shows they feel comfortable enough in your establishment to ask for what they need. If they get a positive response, they will enjoy their transaction and feel comfortable to come back again and again. Unless they are asking for something outlandish, provide what is asked for. If they request something unreasonable, contact your ADA Coordinator for a direction toward a resolution.
- **Terminology** – PUT THE PERSON FIRST! Always say "person with a disability" rather than "disabled person". This recognizes that they are a person first, not a disability first. If someone has a specific disability, it would be a "person who is blind", a "person who is deaf", or a "person with dwarfism". Each

person may have their own preferred terminology, and if you're not sure what to use, just ask them. Most, however, will recognize the effort when you just refer to them as "people".

- Avoid outdated, politically incorrect terms like "handicapped" or "crippled". Be aware that many people with disabilities dislike jargon and euphemistic terms like "physically challenged" and "differently abled". Say "wheelchair user" instead of "confined to a wheelchair" or "wheelchair bound". The wheelchair is what enables the person to get around, but they are neither confined by it nor bound to it. The wheelchair is liberating, not confining.
- With any disability, avoid negative, disempowering words like "victim" or "sufferer". Say "person with AIDS" instead of "AIDS victim" or person who "suffers from AIDS".
- It's okay to use idiomatic expressions when talking to people with disabilities. For example, saying "It was good to see you" and "See you later" to a person who is blind is completely acceptable. They will use the same terminology and it's inappropriate to respond with questions like, "How are you going to see me later?"
- People in wheelchairs will say things like, "Let's go for a walk" and it's okay for you to say it too. The situation will only become awkward if you make it so.
- Many people who are Deaf communicate with sign language and consider themselves to be members of a cultural and linguistic minority group. They refer to themselves as Deaf (with a capital D) and may be offended by the term "hearing impaired". Others may not object to the term, but in general it is safest to refer to people who have hearing loss but communicate through a spoken language as "people with hearing loss" and those who have a profound hearing loss as "people who are Deaf".

Community Groups, Organizations, Associations, and Commissions

There are a large number of groups nationally, regionally, and within each state that provide specialized services, information, and advocacy for persons with all disabilities. A number of advocacy groups are listed below, the list is not intended to be complete by any means:

- *Ability Resources, Inc.*: Ability Resources Inc. (<http://www.abilityresources.org/>) was founded in 1976. Their mission is to assist people with disabilities in attaining and maintaining their personal independence. One way this can be achieved is in the creation of an environment in which people with disabilities can exercise their rights to control and direct their own lives.
- *ADA National Network*: The ADA National Network (<http://adata.org/>) provides information, guidance and training on the Americans with Disabilities Act (ADA), tailored to meet the needs of business, government and individuals at local, regional and national levels. The ADA National Network consists of ten Regional ADA National Network Centers located throughout the United States that provide local assistance to ensure that the ADA is implemented wherever possible.
- *American Council of the Blind*: ACB (www.acb.org) is a national organization advocating on behalf of persons who are blind or have low vision. ACB also publishes A Guide to Making Documents Accessible to People Who Are Blind or Visually Impaired. ACB is located at 1155 15th St. NW, Suite 1004, Washington, DC 20005 (800.424.8666) or by e-mail at info@acb.org.
- *American Association of People with Disabilities*: The American Association of People with Disabilities (www.aapd.com/) is the largest non-profit, non-partisan, cross-disability organization in the United States.
- *National Association of the Deaf*: NAD is a national consumer organization representing people who are deaf and hard of hearing. NAD provides information about standards for American Sign Language Interpreters and the Captioned Media Program on its website (www.nad.org).
- *Indiana Association of the Deaf*: IAD is a dynamic and growing organization with strategic partners, and individual members. The IAD serves as an advocate for more than 400,000 Deaf and Hard of Hearing Hoosiers. The mission of the Indiana Association of the Deaf is to preserve, protect, and promote the

civil, human, and American Sign Language (ASL) linguistic rights of Deaf people in Indiana.

<https://www.iadhoosiers.org/>

- *National Federation of the Blind*: NFB is a national organization advocating on behalf of persons who are blind or have low vision. NFB provided online resources (www.nfb.org/) for technology for the blind, including a technology resource list, a computer resource list, screen access technology, sources of large print software for computers, and sources of closed-circuit TV (CCTVs). There is also an Indiana state chapter (<https://nfb-in.org/>).
- *National Organization on Disability*: The National Organization on Disability promotes the full and equal participation and contribution of America's 54 million men, women and children with disabilities in all aspects of life. NOD maintains an on-line directory of information and links including transportation-related resources. (www.nod.org/)
- *Paralyzed Veterans of America*: PVA is a national advocacy organization representing veterans. PVA's Sports and Recreation Program promotes a range of activities for people with disabilities, with special emphasis on activities that enhance lifetime health and fitness. PVA's website (www.pva.org/) provides information on useful sports publications and a list of contacts.
- *United Spinal Association*: United Spinal Association is a membership organization serving individuals with spinal cord injuries or disease. Formerly known as the Eastern Paralyzed Veterans Association, the organization expanded its mission to serve people with spinal cord injuries or disease regardless of their age, gender, or veteran status. Information on accessibility training and consulting services and recreational opportunities for people with spinal cord injuries or disease is available on their website (www.unitedspinal.org/)
- *World Institute on Disability*: WID is an international public policy center dedicated to carrying out research on disability issues and overcoming obstacles to independent living. WID maintains an on-line information and resource directory on technology, research, universal design, and the ADA. (www.wid.org/resources)
- *State of Indiana Division of Disability & Rehabilitative Services (DDRS)*: www.in.gov/fssa/ddrs/2637.htm
- *Indiana Disability Rights (IDR)*: <https://www.in.gov/idr/>
- *Disability Resources, Inc., Guide to Disability Resources on the Internet – IN*: Disability Resources, inc. is a nonprofit 501(c)(3) organization established to promote and improve awareness, availability and accessibility of information that can help people with disabilities live, learn, love, work and play independently. www.disabilityresources.org/INDIANA.html
- *Indiana Resource Center for Families with Special Needs (IN*SOURCE)*: The mission of IN*SOURCE is to provide parents, families, and service providers in Indiana the information and training necessary to assure effective educational programs and appropriate services for children and young adults with disabilities. insource.org
- *ADA-Indiana*: The mission of ADA-Indiana is to serve as a statewide resource for promoting the implementation of the Americans with Disabilities Act in Indiana. www.adaindiana.org/
- *Great Lakes ADA Center*: The Great Lakes ADA Center's mission is to increase awareness and knowledge with the ultimate goal of achieving voluntary compliance with the Americans with Disabilities Act. This is accomplished within targeted audiences through provision of customized training, expert assistance, and dissemination of information developed by various sources, including the federal agencies responsible for enforcement of the ADA. The Center provides information, materials, technical assistance and training on the Americans with Disabilities Act of 1990 (ADA). The six states within the region served by the Center include: Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin. <https://www.adagreatlakes.org/#>
- *Indiana Council on Independent Living (ICOIL)*: Their mission is to effectively lead a statewide Independent Living Movement that empowers people with disabilities. www.icoil.org/index.html

- *The Arc of Indiana*: The Arc of Indiana is committed to all people with developmental disabilities realizing their goals of learning, living, working and playing in the community. www.arcind.org/
- *American Council of the Blind of Indiana (ACBI)*: The American Council of the Blind of Indiana, an affiliate of the American Council of the Blind, strives to increase the independence, security, equality of opportunity, and quality of life, for all blind and visually impaired persons in Indiana. Their mission is to increase the independence, security, equality of opportunity, and quality of life for all blind and visually impaired people. They have multiple chapters within the state and their special interest affiliates cover a wide range of professions, hobbies, and aspects of life. <https://acb-indiana.org/>
- *Deaf Link*: Provides accessible hazard alert system (AHAS), video remote interpreting (VRI), pre-recorded interpreting (PRI), and Shelter Link (an internet-based interpreting service for sheltering and mass care agencies) to provide the highest standard of inclusion for persons who are Deaf, Blind, Hard-of Hearing and Deaf-Blind. www.deaflink.com/.

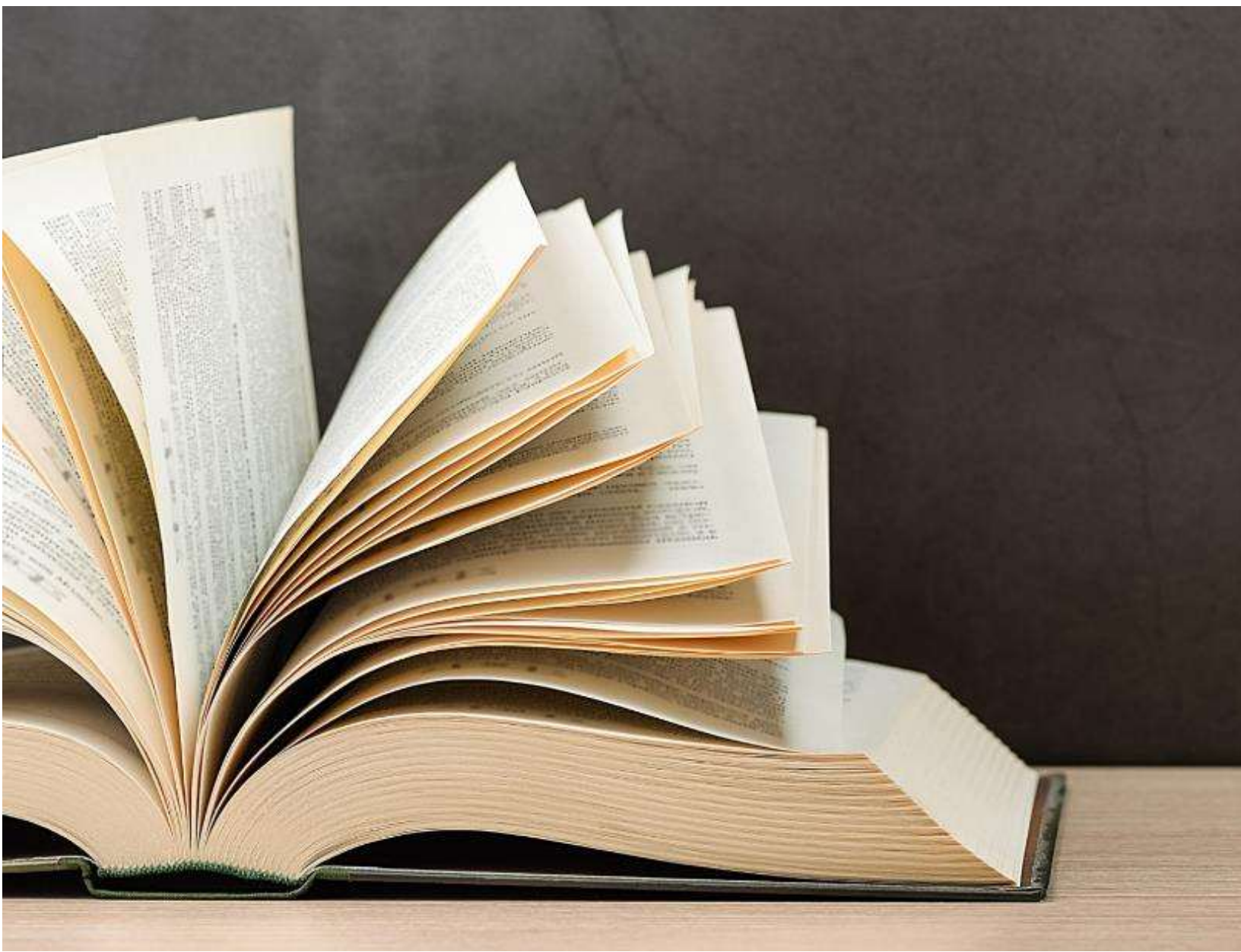
Potential Funding Opportunities

Grants may be available from a wide variety of sources from state and federal agencies to private agencies and non-profits. Some common potential programs are listed below. The list is not intended to be complete by any means and not all grants are funded at all times.

- **Indiana Department of Natural Resources (IDNR)** offers a number of grants for parks and recreation facilities. Refer to their website for a matrix of grant programs and eligibility (<https://www.in.gov/dnr/state-parks/recreation/>).
- **Indiana Department of Transportation** administers several grant programs for transportation-related projects, including Community Crossing Grants (<https://www.in.gov/indot/doing-business-with-indot/local-public-agency-programs/community-crossing-matching-grant-program/>).
- **Indiana Office of Community and Rural Affairs (OCRA)** offers the Community Connections for People with Disabilities (CCPWD) grant, in partnership with the Indiana Division of Disability and Rehabilitative Services (DDRS). The CCPWD grant opportunity is a Community Development Block Grant made available due to supplemental CDBG Coronavirus funds authorized under the CARES Act. OCRA has made \$4.9 million in CDBG-CV funds available for this grant opportunity. CCPWD grant applications are reserved for applicants proposing public services activities; public facilities activities are not eligible for consideration under the CCPWD grant opportunity. Proposed public service activities must provide collective benefit to the target population by enhancing municipal and/or provider capacities and programming. <https://www.in.gov/ocra/cdbg/community-connections-for-people-with-disabilities/>

6

Definitions



6.0 Definitions

The words, phrases and definitions summarized below are included in the ADA. Refer to the ADA 28 CFR 35.104 for full definitions. A list of common terms and definitions are included below.

2010 Standards: the 2010 Standards for Accessible Design (SAD), which consist of the 2004 ADA Accessibility Guidelines (ADAAG) and requirements contained in 35.151.

Access Board: an independent Federal agency devoted to accessibility for people with disabilities. The [Access Board](#) developed the accessibility guidelines for the ADA and provides technical assistance and training on these guidelines.

Accessible: refers to a site, facility, work environment, service, or program that is easy to approach, enter, operate, participate in, and/or use safely and with dignity by a person with a disability.

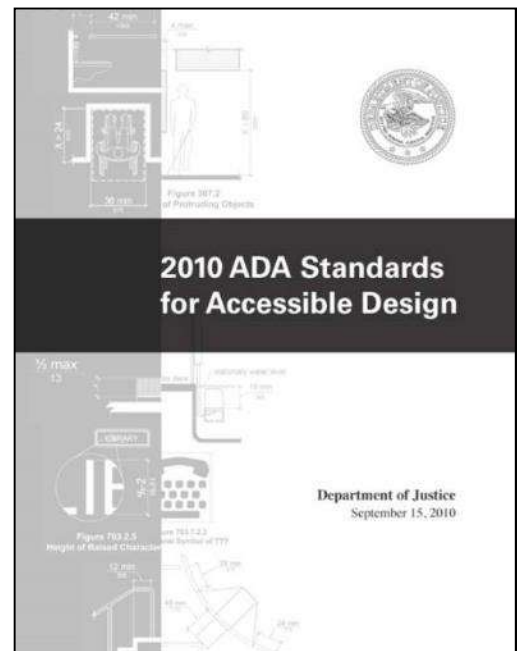
Affirmative Action (AA): a set of positive steps that employers use to promote equal employment opportunity and to eliminate discrimination. It includes expanded outreach, recruitment, mentoring, training, management development and other programs designed to help employers hire, retain and advance qualified workers from diverse backgrounds, including persons with disabilities. Affirmative action means inclusion, not exclusion. Affirmative action does not mean quotas and is not mandated by the ADA.

Alteration: a change to a facility in the public right-of-way that affects or could affect pedestrian access, circulation, or use. Alterations include, but are not limited to, resurfacing, rehabilitation, reconstruction, historic restoration, or changes or rearrangement of structural parts or elements of a facility.

Americans with Disabilities Act (ADA): a comprehensive, Federal civil rights law that prohibits discrimination against people with disabilities in employment, state and local government programs and activities, public accommodations, transportation, and telecommunications.

ADA Standards for Accessible Design (ADASAD): consist of the 2004 ADAAG and requirements contained in 35.151 with scoping and technical requirements (dated September 15, 2010) to be applied during the design, construction, and alteration of buildings and facilities covered by Titles II and III of the ADA to the extent required by regulations issued by Federal agencies, including the DOJ and the Department of Transportation (DOT).

Auxiliary Aids and Services: under Titles II and III of the ADA, includes a wide range of services and devices that promote effective communication or allows access to goods and services. Examples of auxiliary aids and services for individuals who are deaf or hard of hearing include qualified interpreters, note takers, computer-aided transcription services, written materials, telephone handset amplifiers, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons (TDDs), videotext displays, and exchange of written notes. Examples for individuals with vision impairments include qualified readers, taped texts, audio recordings, Braille materials, large print materials, and assistance in locating items. Examples for individuals with speech impairments include TDDs, computer terminals, speech synthesizers, and communication boards.



Civil Rights Act of 1991: Federal law that capped compensatory and punitive damages under Title I of the ADA for intentional job discrimination. The law also amended the ADA's definition of an employee, adding "with respect to employment in a foreign country, such term includes an individual who is a citizen of the United States."

Complaint: a written statement, alleging violation of the ADA, which contains the complainant's name and address and describes the City's alleged discriminatory action in sufficient detail to inform them of the nature and date of the alleged violation. It shall be signed by the complainant or by someone authorized to do so on his or her behalf. Complaints filed on behalf of classes or third parties shall describe or identify (by name, if possible) the alleged victims of discrimination.

Covered Entity: under the ADA, "covered entity" is an entity that must comply with the law. Under Title I, covered entities include employers, employment agencies, labor organizations, or joint labor-management committees. Under Title II, covered entities include state and local government instrumentalities, the National Railroad Passenger Corporation, and other commuter authorities, and public transportation systems. Under Title III, covered entities include public accommodations such as restaurants, hotels, grocery stores, retail stores, etc., as well as privately owned transportation systems.

Cross Slope: the grade that is perpendicular to the direction of pedestrian travel.

Curb Ramp: a ramp that cuts through or is built up to the curb. Curb ramps can be perpendicular or parallel, or a combination of parallel and perpendicular ramps.

Direct Threat: a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.

Disability: with respect to an individual, means: a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment. Discrimination on the basis of disability: means to:

- Limit, segregate, or classify a citizen in a way that may adversely affect opportunities or status because of the person's disability;
- Limit, segregate, or classify a participant in a program or activity offered to the public in a way that may adversely affect opportunities or status because of the participant's disability;
- Participate in a contract that could subject a qualified citizen with a disability to discrimination;
- Use any standards, criteria, or methods of administration that have the effect of discriminating on the basis of disability;
- Deny equal benefits because of a disability;
- Fail to make reasonable accommodations to known physical or mental limitations of an otherwise qualified individual unless it can be shown that the accommodation would impose an undue burden on the City's operations;
- Use selection criteria that exclude otherwise qualified people with disabilities from participating in the programs or activities offered to the public; and
- Fail to use tests, including eligibility tests, in a manner that ensures that the test results accurately reflect the qualified applicant's skills or aptitude to participate in a program or activity.

Employer: a person engaged in an industry affecting commerce who has 15 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year, and any agent of such person, except that, for two years following the effective date of this subchapter, an employer means a person engaged in an industry affecting commerce who has 25 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding year, and any agent of such

person. Exceptions: The term "employer" does not include the United States, a corporation wholly owned by the government of the United States, or an Indian tribe; or a bona fide private membership club (other than a labor organization) that is exempt from taxation under section 501(c) of Title 26 [the Internal Revenue Code of 1986].

Equal Employment Opportunity Commission (EEOC): the Federal agency charged with enforcing Title I of the ADA.

Essential Job Functions: the fundamental job duties of the employment position that the individual with a disability holds or desires. The term "essential functions" does not include marginal functions of the position.

Equal Employment Opportunity: an opportunity to attain the same level of performance or to enjoy equal benefits and privileges of employment as are available to an average similarly-situated employee without a disability.

Existing Facility: refers to buildings that were constructed before the ADA went into effect. A public building constructed before the effective date of Title II does not have to be fully accessible unless the removal of barriers, including structural ones, is readily achievable.

Facility: all or any portion of buildings, structures, improvements, elements, and pedestrian or vehicular routes located in the public right-of-way.

Grade Break: the line where two surface planes with different grades meet.

Historic Properties: those properties that are listed or eligible for listing in the National Register of Historic Places or properties designated as historic under State or local law.

Job Analysis: a formal process in which information about a specific job or occupation is collected and analyzed.

Job Description: a detailed summary, usually written, of the major components of a job. A typical job description consists of six major components: essential job functions, knowledge and critical skills, physical demands, environmental factors, the roles of the ADA and other Federal laws such as the Occupational Safety Health Act, and any explanatory information that may be necessary to clarify job duties or responsibilities.

Job Related and Consistent with Business Necessity: standard used to determine whether a qualification standard or employment policy concerns an essential aspect of the job and is required to meet the needs of the business.

Light Duty: generally, "light duty" refers to temporary or permanent work that is physically or mentally less demanding than normal job duties. Some employers use the term "light duty" to mean simply excusing an employee from performing those job functions that s/he is unable to perform because of an impairment. "Light duty" also may consist of particular positions with duties that are less physically or mentally demanding created specifically for the purpose of providing alternative work for employees who are unable to perform some or all of their normal duties. Further, an employer may refer to any position that is sedentary or is less physically or mentally demanding as "light duty". The term is often associated with workers compensation programs.

Major Life Activity: term used in the ADA definition of disability. It refers to activities that an average person can perform with little or no difficulty, such as walking, seeing, speaking, hearing, breathing, learning, performing manual tasks, caring for oneself, and working. These are examples only. Other activities such as sitting, standing, lifting, or reading are also major life activities.

Marginal Job Functions: functions that are not considered essential to a job. Employers must consider removing marginal job functions as an accommodation under the ADA, but do not have to remove essential functions as an accommodation.

Medical Examination: a procedure or test that seeks information about an individual's physical or mental impairments or health. The following factors should be considered to determine whether a test (or procedure) is a medical examination: (1) whether the test is administered by a health care professional; (2) whether the test is interpreted by a health care professional; (3) whether the test is designed to reveal an impairment or physical or mental health; (4) whether the test is invasive; (5) whether the test measures an employee's performance of a task or measures his/her physiological responses to performing the task ; (6) whether the test normally is given in a medical setting; and, (7) whether medical equipment is used. In many cases, a combination of factors will be relevant in determining whether a test or procedure is a medical examination. In other cases, one factor may be enough to determine that a test or procedure is medical.

Mitigating Measures: medical treatment or devices that lessen the effects of an impairment, such as medication, a prosthesis, or a hearing aid. When determining whether a person has a disability under the ADA, the effect of mitigating measures is to be considered.

Other Power-Driven Mobility Devices (OPDMD): any mobility device powered by batteries, fuel, or other engines that is used by individuals with mobility disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility device (such as the Segway® PT), or any mobility device designed to operate in areas without defined pedestrian routes, but which is not a wheelchair.

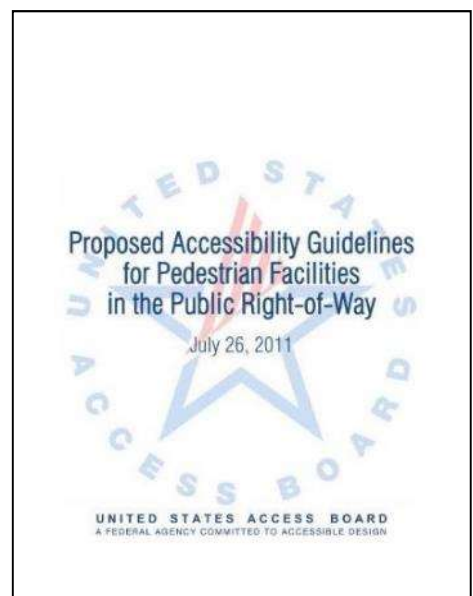
Pedestrian Access Route (PAR): a continuous and unobstructed path of travel provided for pedestrians with disabilities within or coinciding with a pedestrian circulation path.

Pedestrian Circulation Path: a prepared exterior or interior surface provided for pedestrian travel in the public right-of-way.

Physical or Mental Impairment: a physical or mental limitation that may include, but are not limited to: vision, speech, and hearing impairment; emotional disturbance and mental illness; seizure disorders; mental retardation; orthopedic and neuromotor disabilities; learning disabilities; diabetes; heart disease; nervous conditions; cancer; asthma; hepatitis B; HIV infection (HIV condition); and drug addiction if the addict has successfully completed or is participating in a rehabilitation program and no longer uses illegal drugs.

- The following conditions are not physical or mental impairments: tranvestism, illegal drug use; homosexuality or bisexuality; compulsive gambling; kleptomania; pyromania; pedophilia; exhibitionism; voyeurism; pregnancy; height; weight; eye color; hair color; left-handedness; poverty; lack of education; a prison record; and poor judgment or quick temper if not symptoms of a mental or physiological disorder.

PROWAG: Proposed Accessibility Guidelines for Pedestrian Facilities within Public Right-of-Way. These proposed guidelines (dated July 26, 2011) provide design criteria for public streets and sidewalks, including pedestrian access routes, street crossings, curb ramps and blended transitions, on-street parking, street furniture, and other elements. The specifications comprehensively address access that accommodates all types of disabilities, including



mobility and vision impairments, while taking into account conditions and constraints that may impact compliance, such as space limitations and terrain. The U.S. Access Board has completed rulemaking effective September 7, 2023, and PROWAG will become the enforceable standard once a Federal agency completes their rulemaking and adopts PROWAG.

Public Accommodations: entities that must comply with Title III. The term includes facilities whose operations affect commerce and fall within at least one of the following 12 categories: places of lodging (e.g., inns, hotels, motels) (except for owner-occupied establishments renting fewer than six rooms); establishments serving food or drink (e.g., restaurants and bars); places of exhibition or entertainment (e.g., motion picture houses, theaters, concert halls, stadiums); places of public gathering (e.g., auditoriums, convention centers, lecture halls); sales or rental establishments (e.g., bakeries, grocery stores, hardware stores, shopping centers); service establishments (e.g., laundromats, dry-cleaners, banks, barber shops, beauty shops, travel services, shoe repair services, funeral parlors, gas stations, offices of accountants or lawyers, pharmacies, insurance offices, professional offices of health care providers, hospitals); public transportation terminals, depots, or stations (not including facilities relating to air transportation); places of public display or collection (e.g., museums, libraries, galleries); places of recreation (e.g., parks, zoos, amusement parks); places of education (e.g., nursery schools, elementary, secondary, undergraduate, or postgraduate private schools); social service center establishments (e.g., day care centers, senior citizen centers, homeless shelters, food banks, adoption agencies); and places of exercise or recreation (e.g., gymnasiums, health spas, bowling alleys, golf courses).

Public Entity: entities that must comply with Title II. The term is defined as: any state or local government; any department, agency, special purpose district, or other instrumentality of a state or local government; or certain commuter authorities as well as Amtrak. It does not include the Federal government.

Qualified Individual with a Disability: an individual with a disability who, with or without reasonable modification to rules, policies, or practices, removal of architectural, communication, or transportation barriers, or the provision of auxiliary services or aids, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the City.

Readily Achievable: easily accomplishable and able to be carried out without much difficulty or expense. In determining whether an action is readily achievable, factors to be considered include nature and cost of the action, overall financial resources and the effect on expenses and resources, legitimate safety requirements, impact on the operation of a site, and, if applicable, overall financial resources, size, and type of operation of any parent corporation or entity. Under Title III, public accommodations must remove barriers in existing facilities if it is readily achievable to do so.

Reasonable Accommodation: under Title I, a modification or adjustment to a job, the work environment, or the way things usually are done that enables a qualified individual with a disability to enjoy an equal employment opportunity. Reasonable accommodation is a key non-discrimination requirement of the ADA.

Reasonable Program Modifications: if an individual's disabilities prevent them from performing the essential functions of the program or activity, it is necessary to determine whether reasonable program modifications would enable these individuals to perform the essential functions of the program or activity.

Reasonable program modification is any change in a program or activity, or in the way things are customarily done, that enables an individual with a disability to enjoy equal program opportunities. Accommodation means modifications or adjustments:

- To a registration or application process to enable an individual with a disability to be considered for the program or activity;

- To the program or activity environment in which the duties of a position are performed so that a person with a disability can perform the essential functions of the program or activity; and
- That enables individuals with disabilities to enjoy equally the benefits of the program or activity as other similarly situated individuals without disabilities enjoy.

Modification includes making existing facilities and equipment used by individuals readily accessible and usable by individuals with disabilities. Modification applies to known disabilities only. Modification is not required if it changes the essential nature of a program or activity for the person with a disability, it creates a hazardous situation, adjustments or modifications requested are primarily for the personal benefit of the individual with a disability, or it poses an undue burden on the City.

Record of an Impairment: an individual is disabled if he or she has a history of having an impairment that substantially limits the performance of a major life activity or has been diagnosed, correctly or incorrectly, as having such an impairment. An example: a man, who is in line for a promotion, has a history of cancer treatment, although he is now free of cancer. He is not given the promotion because his bosses are worried that, if his cancer returns, he won't be able to do the job. He does not, at this point, meet the first part of the definition of disability because he does not have a physical or mental impairment that substantially limits one or more major life activities. However, based on his "record of" an impairment, he is being discriminated against.

Regarded as Having a Disability: an individual is disabled if he or she is treated or perceived as having an impairment that substantially limits major life activities, although no such impairment exists. An example: a woman applies for a job as a customer service representative at a department store. Her face is badly scarred from an automobile accident. The interviewer doesn't want to give her the job, in spite of her skills and experience, because he thinks customers will be uncomfortable looking at her. She is not substantially limited in any major life activity, but the interviewer is "regarding her as" if she has a disability.

Running Slope: the grade that is parallel to the direction of pedestrian travel.

Safe Harbor: elements of existing facilities that already comply with either the 1991 ADA Standards or UFAS are not required to comply with the 2010 ADA Standards unless they were altered on or after March 15, 2012 and elements comprising a path of travel to an altered primary function area are not required to comply with the 2010 ADA Standard merely as the result of an alteration to a primary function area, provided those elements comply with the 1991 ADA Standard or UFAS.

Service Animal: any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. See the 2010 revised requirements at https://www.ada.gov/service_animals_2010.htm.

Substantial Limitation on Major Life Activities: an individual is disabled if she or he has a physical or mental impairment that (a) renders her or him unable to perform a major life activity, or (b) substantially limits the condition, manner, or duration under which she or he can perform a particular major life activity in comparison to other people.

In determining whether physical or mental impairment substantially limits the condition, manner, or duration under which an individual can perform a particular major life activity in comparison to other people, the following factors shall be considered:

- The nature and severity of the impairment;
- The duration or expected duration of the impairment; and
- The permanent or long term impact (or expected impact) of, or resulting from, the impairment.

Title V of the Rehabilitation Act of 1973: title of the law that prohibits discrimination on the basis of a disability by the Federal government, Federal contractors, by recipients of Federal financial assistance, and in Federally conducted programs and activities.

Transition Plan: refers to a requirement that state and local governments employing 50 or more people develop plans detailing structural changes necessary to achieve facility and program accessibility.

Undue Burden: means significant difficulty or expense incurred in the provision of accommodation. Undue burden includes, but is not limited to, financial difficulty. Undue burden refers to any modification that would be unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature of operation of the business of the City. Whether a particular accommodation will impose an undue hardship is determined on a case-by-case basis. If a particular modification is determined to cause an undue burden to Huntington City, the City shall attempt to identify another modification that would not pose such a burden. If cost causes the undue burden, the City must consider whether funding for the modification is available from an outside source. If no such funding is available, the City must give the person with a disability the opportunity to provide the modification or to pay for that portion of the modification that constitutes an undue burden.

Undue Hardship: with respect to the provision of an accommodation under Title I of the ADA, significant difficulty or expense incurred by a covered entity, when considered in light of certain factors. These factors include the nature and cost of the accommodation in relationship to the size, resources, nature, and structure of the employer's operation. Where the facility making the accommodation is part of a larger entity, the structure and overall resources of the larger organization would be considered, as well as the financial and administrative relationship of the facility to the larger organization. Employers do not have to provide accommodations that cause an undue hardship.

Uniform Federal Accessibility Standards (UFAS): one of two standards that state and local governments can use to comply with Title II's accessibility requirement for new construction and alterations that took place before March 15, 2012. The other standard is the ADA Accessibility Guidelines, which is the enforceable standard for new construction or alterations done after March 15, 2012.

U.S. Department of Justice: Federal agency that is responsible for enforcing Titles II and III of the ADA.

U.S. Department of Transportation: Federal agency that enforces non-discrimination in public and private transportation. Non-discrimination includes access to public bus, train and paratransit, as well as privately operated bus and shuttle transportation. The ADA does not cover air transportation, which is subject to the Air Carrier Access Act.

Video Remote Interpretation (VRI): Video remote interpreting (VRI) is a video telecommunication service that uses web cameras, videophones, or other devices to provide sign language or spoken language interpreting services via a remote or offsite interpreter. VRI facilitated communication with persons with hearing loss and cannot utilize voice communication systems.