

Town of Kirklin

ADA Transition Plan

Created August, 2020

Adopted October, 2020

Introduction

Transition Plan Need and Purpose

The Americans with Disabilities Act (ADA) is a civil rights law prohibiting discrimination against individuals on the basis of disability. It was enacted on July 26, 1990, and was amended in 2008 with the ADA Amendments Act. The ADA consists of five titles outlining protections in the following areas:

- I. Employment
- II. State and local government services
- III. Public accommodations
- IV. Telecommunications
- V. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services provided by public entities. The Town of Kirklín must comply with this section of the Act, as it specifically applies to public service agencies.

Title II of ADA states that “no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.” (42 USC Sec. 12132; 28 CFR Sec. 35.130)

As required by Title II of ADA (28 CFR Part 35 Sec. 35.105 and Sec. 35.150), the Town of Kirklín has conducted a self-evaluation of its services, programs, activities, and facilities on public property and within public rights-of-way; and has developed this Transition Plan detailing the methods to be used to ensure compliance with ADA accessibility requirements.

ADA and its Relationship to Other Laws

Title II of ADA is companion legislation to two previous federal statutes and regulations: the Architectural Barriers Act (ABA) of 1968 and Section 504 of the Rehabilitation Act of 1973.

The Architectural Barriers Act of 1968 is a Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Section 504 of the Rehabilitation Act of 1973 is a Federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency. Title II of ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not.

Agency Requirements

Under Title II, the Town of Kirklín must meet these general requirements:

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities [28 CFR Sec. 35.150].
- May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability [28 CFR Sec. 35.130 (a)].
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result [28 CFR Sec. 35.130(b)(7)].

- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective [28 CFR Sec. 35.130(b)(iv) & (d)].
- Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others [29 CFR Sec. 35.160(a)].
- Must designate at least one responsible employee to coordinate ADA compliance [28 CFR Sec. 35.107(a)]. This person is typically referred to as the ADA Coordinator. The public entity must provide the ADA Coordinator's name, office address, and telephone number to all interested individuals [28 CFR Sec. 35.107(a)].
- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [28 CFR Sec. 35.106]. The notice must include the identification of the employee serving as the ADA Coordinator and must provide this information on an ongoing basis [28 CFR Sec. 104.8(a)].
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [28 CFR Sec. 35.107(b)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

Designation of Responsibility

In accordance with 28 CFR 35.107(a), the Town of Kirklin has designated the following person to serve as ADA Title II Coordinator, to oversee the Town of Kirklin policies and procedures:

Name: Mary King _____ Job Title: Clerk-Treasurer _____

In accordance with 28 CFR 35.150(d)(3), the Town of Kirklin has designated the following person to serve as ADA Transition Plan Implementation Coordinator, to monitor the Town of Kirklin's progress and manage review and updates of this document:

Name: Billy Walker _____ Job Title: Town Superintendent _____

Contact information is provided in Appendix E.

Training is an important tool for ensuring compliance with ADA requirements. The ADA Coordinators will identify resources and opportunities for agency employees at various levels to receive ADA-related training appropriate to their job functions.

Undue Burden

ADA does not require the Town of Kirklin to undertake any action that would result in a fundamental alteration in the intent of its program or activity, would create a hazardous condition, or would represent an undue financial and administrative burden. This determination can only be made by the ADA Coordinator and must be accompanied by a statement citing the reasons for reaching the conclusion. The determination that undue burdens would result must be based on an evaluation of all resources available for use in the programs.

Self-Evaluation

Overview

Under Title II of the ADA (28 CFR Sec. 35.105), public entities are required to perform a self-evaluation of their current services, policies and practices with regard to accessibility. The goal of the self-evaluation is to verify that, in managing its programs and facilities, the agency is providing accessibility and not adversely affecting the full participation of individuals with disabilities.

The intent of the ADA self-evaluation is to review the agency's entire public program, including all facilities on public property and within public rights-of-way, in order to identify any obstacles or barriers to accessibility that need to be addressed. The general categories of items to be evaluated include:

- Communications, Information & Facility Signage.
- Building Facilities – these include offices, garages and other types of buildings.
- Pedestrian Facilities (Pedestrian Circulation Routes / Pedestrian Access Routes) – these include sidewalks, curb ramps, bicycle/pedestrian trails, traffic control signals and bus stops (and/or other transit facilities) that are located within the Town of Kirklin rights-of-way.

Public entities are required to provide an opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments [28 CFR Sec. 35.105(b)].

Furthermore, a public entity that employs 50 or more persons is required, for at least three years following the completion of the self-evaluation, to maintain on file and make available for public inspection:

- A list of the interested persons consulted;
- A description of areas examined and any problems identified; and,
- A description of any modifications made.

Process & Findings

In 2020, the Town of Kirklin completed a self-evaluation of its services, programs, activities, and facilities on public property and within public rights-of-way with regard to accessibility. Detailed inventories and findings from this review are provided in Appendix A, under the headings of Town Hall Inspection (A1), Park Pavilion Inspection (A1), and Sidewalk Inspection (A2).

An important component of the self-evaluation process is the identification of obstacles or barriers to accessibility, and the corresponding modifications that will be needed to remedy these items. The following sections provide a summary of improvements that have already been made, and obstacles that the Town of Kirklin plans to address as part of this Transition Plan.

Communications, Information & Facility Signage

Title II of ADA includes the following requirements regarding Communications.

General (28 CFR Sec. 35.160)

- A public entity shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others.
- A public entity shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by a public entity.
- In determining what type of auxiliary aid and service is necessary, a public entity shall give primary consideration to the requests of the individual with disabilities.

Information and Signage (28 CFR Sec. 35.163)

- A public entity shall ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities.
- A public entity shall provide signage at all inaccessible entrances to each of its facilities, directing users to an accessible entrance or to a location at which they can obtain information about accessible facilities. The international symbol for accessibility shall be used at each accessible entrance of a facility.

Other examples of important communication items/devices include Accessible Pedestrian Signals (APS) used at intersections, and signs, pavement markings and other traffic control devices used to provide advance warning and positive guidance in the vicinity of construction, maintenance or utility work areas/zones that impact sidewalks, crosswalks or other pedestrian access routes. The *Pedestrian Checklist and Considerations for Temporary Traffic Control Zones* provides an overview of pedestrian-related considerations to enhance safety and accessibility for these types of situations. Appendix A3 of this Transition Plan provides additional information about communication items related to Pedestrian Facilities / Public Rights-of-Way.

The Town of Kirklin has not conducted a detailed evaluation of its communications, information and facility signage with regard to the ADA Title II requirements.

Building Facilities and Related Parking Lots/Facilities

The Town of Kirklin is responsible for the following buildings:

- Town Hall – 113 N Main St, Kirklin, IN 46050
- Park Pavilion – 400 N Perry St, Kirklin, IN 46050

The Town of Kirklin has conducted a detailed accessibility evaluation of each of its building facilities, and related parking lots/areas, based on the *ADA Checklist for Existing Facilities* publication. The findings from this evaluation are provided in Appendix A1 & A2. The accessibility barriers/issues identified as currently existing have been ranked in order of priority for improvement.

Pedestrian Facilities / Public Rights-of-Way

As part of the self-evaluation process, the Town of Kirklin has conducted an inventory and evaluation of pedestrian facilities within its public rights-of-way, which consist of the following:

- All town sidewalks
- All town ramps

A detailed evaluation of these facilities with regard to accessibility compliance is provided in Appendix A3, and will be updated every two years.

Methodology

The Town of Kirklin will utilize two methods for upgrading pedestrian facilities to current ADA standards. The first method is through scheduled street and utility improvement projects. All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards. A current listing of these scheduled projects is included in Appendix B.

The second method is through specific sidewalk and ADA accessibility improvement projects that are identified individually. These projects will be incorporated into the Street Department's Annual Work Plan (SDAWP) on a case-by-case basis as determined by Town of Kirklin staff. The Town of Kirklin's SDAWP, which includes a detailed schedule and budget for specific improvements, is included in Appendix B.

Policy

The Town of Kirklin's goal is to continue to provide accessible pedestrian design features as part of its capital improvement projects. The Town of Kirklin has adopted ADA design standards and procedures as listed in Appendix F. These standards and procedures will be kept up-to-date with nationwide and local best management practices.

The Town of Kirklin will consider and respond to all accessibility improvement requests. All accessibility improvements that are deemed reasonable will be scheduled consistent with transportation priorities. The Town of Kirklin will coordinate with external agencies to ensure that all new or altered pedestrian facilities within the Town of Kirklin jurisdiction are ADA compliant to the maximum extent feasible.

Maintenance of pedestrian facilities within the public rights-of-way will continue to follow the maintenance schedule set forth by the Town of Kirklin. Examples of typical maintenance items relating to accessibility include: snow removal and ice control for sidewalks, sidewalk repair policy, and renewal of crosswalk markings. Sidewalk repair costs are split 50/50 between the Town of Kirklin and the property owner.

Requests for accessibility improvements can be submitted to the ADA Title II Coordinator or Transition Plan Implementation Coordinator. Contact information is provided in Appendix E.

Priority Areas

The Town of Kirklin has identified specific locations as priority areas for planned accessibility improvement projects. These areas have been selected due to their proximity to specific land uses such as schools, government offices and medical facilities, as well as from the receipt of public comments. The priority areas as identified in the self-evaluation are as follows:

- Park Pavilion Accessibility
- Sidewalks
- Town Hall

The undue financial or administrative burden limitation recognized by Title II of the ADA may limit the number of updates that the Town is required to provide. Sidewalks, curb ramps, the Town Hall, and the Park Pavilion will be prioritized as funding for infrastructure improvement projects becomes available.

External Agency Coordination

INDOT is responsible for pedestrian facilities within the jurisdiction of the Town of Kirklin. The Town of Kirklin will coordinate with those agencies to assist with identifying and facilitating elimination of accessibility barriers along their routes.

Public Outreach

The Town of Kirklin recognizes that public participation is an important component in the development of this transition plan. Input from the community has been gathered and used to help define priority areas for improvements within the jurisdiction of the Town of Kirklin.

Public outreach for preparation of this document has consisted of the following activities:

Open Town Council Meeting September 14, 2020.

This document was also made available for public comment. Appendix C provides a summary of comments received and detailed information regarding the public outreach activities.

Public Notice of ADA Requirements and Grievance Procedure

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities with regard to ADA compliance. A draft of this public notice is provided in Appendix D.

Appendices

A. Self-Evaluation

A1. Town Hall Inspection

A1. Park Pavilion Inspection

A2. Sidewalk Inspection

B. Schedule and Budget information

C. Public Outreach

D. Public Notice of ADA Requirements and Grievance Procedure

E. Contact Information

F. Agency ADA Design Standards and Improvement/Compliance Procedures

G. Glossary of Terms

Appendix A – Self-Evaluation

A public entity that employs 50 or more persons is required, for at least three years following the completion of the self-evaluation, to maintain on file and make available for public inspection:

- A list of the interested persons consulted;
- A description of areas examined and any problems identified; and,
- A description of any modifications made.

The Town of Kirklín is not required to maintain self-evaluation as it does not employ 50 or more persons. The Town Superintendent completed the current self-evaluation in September, 2020.

A1. Building Facilities & Related Parking Lots/Facilities

The Town of Kirklín has conducted a detailed accessibility evaluation of each of its buildings, based on the ADA Checklist for Existing Facilities publication. The results are listed as follows.

Inventory & Findings

Town Hall			
Location	Issue	Estimated Date of Compliance	Estimated Cost
Sidewalks	New 5' sidewalks in front along street; handicap parking	1-3 years	\$10/sq. ft.
Water Fountain	Installation of handicapped accessible water fountain	4-6 years	\$2,000
Kitchen Lavatories	Installation of handicapped accessible kitchen lavatories	4-6 years	\$10,000
Kitchen Lavatories	Remodeling of existing lavatory cabinetry	4-6 years	included above
Front Entrance	Installation of automatic door openers for front entry	7-10 years	\$10,000
On-Street Parking	No handicap parking direction in front of property	11-20 years	\$5,000
Accessible Entrance	Path to entrance 6' minimum/patio are closer to entrance	11-20 years	included above
Access to Services	Main entry hallway 5' 5" / side hallways 4' 3"	11-20 years	included above
Doors	All interior doors 35" / doors to conference room 66"	11-20 years	included above
Floors	Conference room open area	11-20 years	included above
Visual Characteristics	Signs are brown & black background / white lettering	11-20 years	included above
Seats, Tables, and Counters	Service counter for utility clerk	11-20 years	included above
Seats, Tables, and Counters	29 1/2" info table / 59 1/2" knee width / 30" depth	11-20 years	included above
Restrooms	Handicap rails around toilet area	11-20 years	included above
Lavatories (Sinks)	Bottled soap / paper towel dispenser	11-20 years	included above

Park Pavilion			
Location	Issue	Estimated date of Compliance	Estimated Cost
Enclosed Pavilion			
Sidewalks	New 5' sidewalks around building from single entry door on E side around to double entry doors on W side. All walkways flush with door thresholds.	1-2 years	\$10/sq. ft.
Bathroom Stalls	Add handicap signs	1-2 years	\$30
Open Air Pavilion			
Sidewalks	New 5' sidewalks from enclosed pavilion sidewalk to open air pavilion on E end. Walkways to be flush with sidewalk and pavilion floor.	1-2 years	\$10/sq. ft.
Sidewalks	Remove old ramp at NW corner of open-air pavilion	1-2 years	\$10/sq. ft.
Park			
	Pave area at S end of parking lot for handicapped parking.	3-5 years	\$8,000-\$10,000
	Signage for handicapped parking	3-5 years	\$100
	A new 5' sidewalk from handicapped parking area to enclosed pavilion sidewalk to N side	3-5 years	\$10/sq. ft.

A2. Pedestrian Facilities / Public Rights-of-Way

Sidewalk Improvements					
Location	View Location	Side	Issue	Estimated date of Compliance	Estimated Cost
8 E Pike	From S Pike to city limits	S	Patchy and unusable	20+ years	\$10/ sq.ft.
1 E Monroe	From S Pike to dead end	N	No sidewalk/306 E Monroe	20+ years	\$10/ sq.ft.
2 E Monroe	From S Pike to dead end	S	No usable sidewalk/307 E Monroe	20+ years	\$10/ sq.ft.
5 E Monroe	From S Pike to dead end	N	No handicap ramps	20+ years	\$10/ sq.ft.
6 E Monroe	From S Pike to dead end	S	No sidewalk in cul-de-sac	20+ years	\$10/ sq.ft.
4 N Main	From E Washington to E Ross	E	Unusable by a wheelchair	10-15 years	\$10/ sq.ft.
5 N Main	From E Ross to E Stowers	E	No street access on north end	10-15 years	\$10/ sq.ft.
6 N Main	From E Stowers to E Francis	E	No visible sidewalk	10-15 years	\$10/ sq.ft.
2 E Adams	From S Main to S Ohio	S	Sidewalk mostly buried	5-10 years	\$10/ sq.ft.
1 E Madison	From Pike to Ohio	N	Half is 2/half is 1	1-5 years	\$10/ sq.ft.
3 E Madison	From Pike to Ohio	S	Half is 2/half is 1	1-5 years	\$10/ sq.ft.
7 E Madison	From Clinton to Pike	N	Partial sidewalk rated 1; nonusable	20+ years	\$10/ sq.ft.
8 E Madison	From Clinton to Pike	S	Partial sidewalk; Pike going E roughly 300' 4 60"	20+ years	\$10/ sq.ft.
5 E Jefferson	From N Pike to N Clinton	N	Sidewalk only from N Pike to alley going east	20+ years	\$10/ sq.ft.
5 E Jefferson	From N Main to N Ohio	N	From N Main to alley going E, no buffer, library width 8'	1-5 years	\$10/ sq.ft.
7 E Jefferson	From N Main to N Ohio	S	Visible sidewalk on half/parking lot on other	1-5 years	\$10/ sq.ft.
1 E Clay	From N Main to N Ohio	N	Rating "1" due to not being complete	5-10 years	\$10/ sq.ft.
1 E Ross	From N Main to N Ohio	N	New sidewalk in front of Dollar General/half distance	15-20 years	\$10/ sq.ft.
3 E Stowers	From N Main to N Ohio	S	New sidewalk behind Dollar General N Main - Alley going E	15-20 years	\$10/ sq.ft.
5 N Ohio	From E Jefferson to E Clay	E	Sidewalk end halfway down street and is no longer visible	1-5 years	\$10/ sq.ft.
7 N Ohio	From E Jefferson to E Clay	W	Sidewalk end halfway down street and is no longer visible	1-5 years	\$10/ sq.ft.
1 N Ohio	From E Clay to E Harrison	E	No sidewalk visible on east side of street	15-20 years	\$10/ sq.ft.
3 N Ohio	From E Clay to E Harrison	W	No sidewalk visible on west side of street	15-20 years	\$10/ sq.ft.
5 N Ohio	From E Harrison to E Washington	E	No sidewalk present on east side of street	15-20 years	\$10/ sq.ft.
1 N Ohio	From E Washington to E Ross	E	No sidewalk present on east side of street	15-20 years	\$10/ sq.ft.
3 N Ohio	From E Washington to E Ross	W	No sidewalk visible on west side of street	15-20 years	\$10/ sq.ft.
5 N Ohio	From E Ross to E Stowers	E	No sidewalk present on east side of street	15-20 years	\$10/ sq.ft.
7 N Ohio	From E Ross to E Stowers	W	No sidewalk visible on west side of street	15-20 years	\$10/ sq.ft.
1 N Ohio	From E Stowers to E Francis	E	No sidewalk present on east side of street	15-20 years	\$10/ sq.ft.
3 N Ohio	From E Stowers to E Francis	W	No sidewalk visible on west side of street	15-20 years	\$10/ sq.ft.
5 N Pike	From E Francis to E Stowers	E	No sidewalk on east side of street/corn field	20+ years	\$10/ sq.ft.
7 N Pike	From E Francis to E Stowers	W	No sidewalk on west side of street	20+ years	\$10/ sq.ft.
1 N Pike	From E Stowers to E Ross	E	No sidewalk present on east side of street	20+ years	\$10/ sq.ft.
3 N Pike	From E Stowers to E Ross	W	No sidewalk visible on west side of street	20+ years	\$10/ sq.ft.
5 N Pike	From E Ross to E Washington	E	No sidewalk present on east side of street	20+ years	\$10/ sq.ft.
7 N Pike	From E Ross to E Washington	W	No sidewalk visible on west side of street	20+ years	\$10/ sq.ft.
1 N Pike	From E Washington to E Harrison	E	No sidewalk visible on west side of street	20+ years	\$10/ sq.ft.
3 N Pike	From E Washington to E Harrison	W	No sidewalk visible on west side of street	20+ years	\$10/ sq.ft.
5 N Pike	From E Harrison to E Clay	E	No sidewalk visible on west side of street	20+ years	\$10/ sq.ft.
7 N Pike	From E Harrison to E Clay	W	No sidewalk visible on west side of street	20+ years	\$10/ sq.ft.
1 N Pike	From E Clay to E Jefferson	E	Sidewalk next to church has curb ramps installed /73" wide	20+ years	\$10/ sq.ft.
5 N Pike	From E Jefferson to E Madison	E	Partial sidewalk on half the distance	20+ years	\$10/ sq.ft.
7 N Pike	From E Jefferson to E Madison	W	Partial sidewalk on half the distance is in good shape	20+ years	\$10/ sq.ft.

1 W Jefferson	From N Main to N Illinois	N	Gravel parking lot on half	1-5 years	\$10/ sq.ft.
1 N Main	From W Jefferson to W Clay	W	A "1" rating due to area unusable by wheelchair	5-10 years	\$10/ sq.ft.
4 N Main	From W Washington to W Ross	W	No handicap access to street on north end	10-15 years	\$10/ sq.ft.
1 S Ohio	From Madison to E Monroe	E	Only partial sidewalk/no usable sidewalk at 105 S Ohio	1-5 years	\$10/ sq.ft.
2 S Ohio	From Madison to E Monroe	W	Only partial sidewalk/none on vacant lot	1-5 years	\$10/ sq.ft.
3 S Ohio	From E Monroe to E Adams	E	201 S Ohio sidewalk is quality 2	5-10 years	\$10/ sq.ft.
5 S Pike	From Madison to E Monroe	E	Partial sidewalk	20+ years	\$10/ sq.ft.
6 S Pike	From Madison to E Monroe	W	Partial sidewalk attached to street and is flush	20+ years	\$10/ sq.ft.
8 S Pike	From E Monroe to E Adams	W	Sidewalk unusable	20+ years	\$10/ sq.ft.
3 S Main	From E Jackson to E Kirk	W	A "1" rating because of portion of no sidewalk	10-15 years	\$10/ sq.ft.
6 S Main	From E Adams to E Jackson	E	Half of sidewalk is 5/other half is 3	10-15 years	\$10/ sq.ft.
7 S Main	From E Jackson to E Kirk	E	Sidewalk ends at convenience store	10-15 years	\$10/ sq.ft.
3 N Perry	From W Clay to W Harrison	E	Partial sidewalk unusable	20+ years	\$10/ sq.ft.
1 E Madison	From Main St to Ohio St	N	In front of antique store 58"/No curb ramps in front of	1-5 years	\$10/ sq.ft.
			Antique store/N curb ramp on S end		
3 E Madison	From Main St to Ohio St	S	In front of Legion 74"/In front of post office 48"	1-5 years	\$10/ sq.ft.
			No curb ramps from Legion to post office		
5 W Madison	From Main St to Illinois	N	Half of sidewalk is 48", 2 rating, no curb ramps after alley	1-5 years	\$10/ sq.ft.
7 W Madison	From Main St to Illinois	S	Half of sidewalk is 48", 2 rating, no curb ramps after alley	1-5 years	\$10/ sq.ft.
3 N Main	From E Madison to E Jefferson	E	No curb ramps at bank drives	1-5 years	\$10/ sq.ft.
7 S Main	From W Madison to W Jefferson	W	Buffer area has planters & brick pavers	1-5 years	\$10/ sq.ft.
2 W Monroe	From S Main to S Illinois	S	Sidewalk from S Main to alley going W	1-5 years	\$10/ sq.ft.
1 W Madison	From Illinois to Perry	N	Sidewalk from Illinois to alley = 2/from alley to Perry = 5	1-5 years	\$10/ sq.ft.
3 W Madison	From Illinois to Perry	S	Sidewalk only from Illinois to alley going west	1-5 years	\$10/ sq.ft.
3 W Clay	From N Main to N Illinois	N	Partial sidewalk visible	5-10 years	\$10/ sq.ft.
7 W Clay	From N Illinois to N Perry	N	Sidewalk partially covered	5-10 years	\$10/ sq.ft.
1 W Harrison	From North Main to N Illinois	N	Partial sidewalk visible	20+ years	\$10/ sq.ft.
7 W Harrison	From N Illinois to N Perry	S	Only half the length of sidewalk visible	20+ years	\$10/ sq.ft.

Appendix B – Schedule and Budget Information

Overview

Based on the accessibility obstacles/issues identified through the self-evaluation process, and the need to implement improvements in order to comply with ADA accessibility standards, the Town of Kirklin has prepared the following proposed schedule and budget estimates.

Accessibility Category	Projected Costs for Accessibility Improvements/Projects					Estimated Sub-Totals
	1-5 years	5-10 years	10-15 years	15-20 years	20+ years	
Town Hall	\$10/ sq. ft	\$22,000		\$5,000		\$27,000 + Sidewalk costs
Park Pavilion	\$10,130 + Sidewalk Costs					\$10,130 + Sidewalk Costs
Sidewalks	\$10/ sq. ft	\$10/ sq. ft	\$10/ sq. ft	\$10/ sq. ft	\$10/ sq. ft	\$10/ sq. ft

Estimated Total Cost:
\$37,130 + all sidewalk costs

The undue financial or administrative burden limitation recognized by Title II of the ADA may limit the number of updates that the Town is required to provide. Sidewalks, curb ramps, the Town Hall, and the Park Pavilion will be prioritized as funding for infrastructure improvement projects becomes available.

Appendix C – Public Outreach

Public Town Council Meeting September 14, 2020

Insert Town Council Notes from September 14th meeting and sign- in sheets if available.

Appendix D – Public Notice of ADA Requirements and Grievance Procedure

As required by the Americans with Disabilities Act, the Town of Kirklin has posted the following notice outlining its responsibilities with regard to ADA compliance.

Public Notice

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, the Town of Kirklin will not discriminate against qualified individuals on the basis of disability in the Town of Kirklin's services, programs or activities.

Employment: The Town of Kirklin does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the Americans with Disabilities Act (ADA).

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

Modifications to Policies and Procedures: The Town of Kirklin will make all reasonable modifications to policies and procedures to ensure that people with disabilities have an equal opportunity to enjoy all The Town of Kirklin programs, services and activities. For example, individuals with service animals are welcomed in The Town of Kirklin offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a The Town of Kirklin program, service or activity, should contact the office of the ADA Coordinator as soon as possible but no later than 48 hours before the scheduled event: Mary King, Clerk-Treasurer, 113 N Main St., Kirklin, IN, 765-279-8786.

The ADA does not require the Town of Kirklin to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

The Town of Kirklin will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Sample Grievance Procedure (Source: www.ada.gov)

Town of Kirklin Grievance Procedure under the Americans with Disabilities Act

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

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

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

**Mary King
ADA Coordinator and Clerk-Treasurer
113 N Main St., Kirklin, IN 46050**

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

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

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

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

Appendix E – Contact Information

ADA Title II Coordinator

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Job Title: Clerk-Treasurer

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ADA Transition Plan Implementation Coordinator

Name: Billy Walker

Job Title: Town Superintendent

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Appendix F – Agency ADA Design Standards and Improvement/ Compliance Procedures

ADA Resources and Design Standards

Add text here to describe your Agency's use or adoption of specific ADA Design Standards as applicable:

Federal Highway Administration (FHWA) - Civil Rights - ADA/Section 504

Americans with Disabilities Act Accessibility Guidelines (ADAAG)

Public Rights-of-Way (PROWAG) Notice of Proposed Rule Making, July 26, 2011

Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG)

2010 ADA Standards for Accessible Design

ADA Checklist for Existing Facilities

ADA Best Practices Tool Kit for State and Local Governments

ADA Update: A Primer for State and Local Governments

Ohio Manual of Uniform Traffic Control Devices

Americans with Disabilities Act of 1990, as Amended (2008)

Title 28 CFR Part 35 – Nondiscrimination on the Basis of Disability in State and Local Government Services

Improvement/Compliance Procedures

The challenge of dealing with physical or site constraints in alteration projects has been recognized by the authors of ADA accessibility standards for years. The Civil Rights Division of the U.S. Department of Justice has recognized that there could be instances where it might be technically infeasible to construct an alteration in full and strict compliance with ADA accessibility standards, because of physical or site constraints. In such circumstances, state and local agencies must provide accessibility to the maximum extent feasible. Before reaching a conclusion about technical infeasibility, state and local agencies need to consider the extent to which physical or site constraints could be addressed by **alternative designs**. The burden of proving technical infeasibility rests with the agency/owner that is responsible for the facility, element or feature.

Intersection Corners

The Town of Kirklin will work in good faith to have curb ramps or blended transitions constructed or upgraded to achieve ADA compliance within all capital improvement projects. There may be limitations which make it technically infeasible for an intersection corner to achieve full accessibility within the scope of a project. If so, those limitations will be noted and those intersection corners will remain on the transition plan. As future projects or opportunities arise, those intersection corners shall continue to be incorporated into future work. Regardless of whether full compliance can be achieved in all cases,

each intersection corner shall be made as compliant as possible in accordance with the judgment of the Town of Kirklin staff.

Sidewalks / Trails

The Town of Kirklin will work in good faith to have sidewalks and bicycle/pedestrian trails constructed or upgraded to achieve ADA compliance within all capital improvement projects. There may be limitations which make it technically infeasible for segments of sidewalks or trails to achieve full accessibility within the scope of a project. If so, those limitations will be noted and those segments will remain on the transition plan. As future projects or opportunities arise, those segments shall continue to be incorporated into future work. Regardless of whether full compliance can be achieved in all cases, each sidewalk or trail shall be made as compliant as possible in accordance with the judgment of the Town of Kirklin staff.

Other Facilities

Additional facilities are present within the limits of the Town of Kirklin. These include the Town Hall and the Park Pavilion.

Appendix G – Glossary of Terms

ABA: See Architectural Barriers Act.

ADA: See Americans with Disabilities Act.

ADA Transition Plan: Transportation system plan that identifies accessibility needs, the process to fully integrate accessibility improvements, and aims to ensure that all transportation facilities, services, programs, and activities are accessible to all individuals.

ADAAG: See Americans with Disabilities Act Accessibility Guidelines.

Accessible: A facility that provides access to people with disabilities using the design requirements of the ADA.

Accessible Pedestrian Signal (APS): A device that communicates information about the WALK phase in audible and vibrotactile formats.

Alteration: A change to a facility in the public right-of-way that affects or could affect access, circulation, or use. An alteration must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building or site.

Americans with Disabilities Act (ADA): Civil rights legislation passed in 1990 and effective July 1992. The ADA sets design guidelines for accessibility to public facilities, including sidewalks and trails, by individuals with disabilities.

Americans with Disabilities Act Accessibility Guidelines (ADAAG): Contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990.

APS: See Accessible Pedestrian Signal.

Architectural Barriers Act (ABA): Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Capital Improvement Program (CIP): The CIP for a public agency typically includes an annual capital budget and a five-year plan for funding the new construction and reconstruction projects on the agency's transportation system.

Detectable Warning: A surface feature of truncated domes, built in or applied to the walking surface to indicate an upcoming change from pedestrian to vehicular way.

DOJ: See United States Department of Justice.

Federal Highway Administration (FHWA): A branch of the U.S. Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads, and bridges.

FHWA: See Federal Highway Administration.

Pedestrian Access Route (PAR): A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility.

Pedestrian Circulation Route (PCR): A prepared exterior or interior way of passage provided for pedestrian travel.

PROWAG: An acronym for the *Guidelines for Accessible Public Rights-of-Way* issued in 2005 by the U.S. Access Board. This guidance addresses roadway design practices, slope and terrain related to pedestrian access to walkways and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking and other components of public rights-of-way.

Right-of-Way: A general term denoting land, property, or interest therein, usually in a strip, acquired for the network of streets, sidewalks and trails creating public pedestrian access within a public entity's jurisdictional limits.

Section 504: The section of the Rehabilitation Act that prohibits discrimination by any program or activity conducted by the federal government.

Uniform Federal Accessibility Standards (UFAS): Accessibility standards that all federal agencies are required to meet; includes scoping and technical specifications.

United States Access Board: An independent federal agency that develops and maintains design criteria for buildings and other improvements, transit vehicles, telecommunications equipment, and electronic and information technology. It also enforces accessibility standards that cover federally-funded facilities.

United States Department of Justice: Federal executive department responsible for enforcement of the law and administration of justice (also referred to as the Justice Department or DOJ).