

City of Dover

Americans with Disabilities Act Transition Plan:
Pedestrian Facilities in the Public Right-of-Way



Public Works Department
Effective Date: January 22, 2018

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Introduction

The purpose of this plan is to ensure that the City of Dover creates reasonable, accessible paths of travel in the City owned and State owned right-of-ways for everyone, including people with disabilities. The City of Dover has made a significant and long-term commitment to improving the accessibility of their pedestrian facilities. The purpose of the Transition Plan is to identify physical barriers and prioritize improvements that should be made throughout the City of Dover. This Transition Plan describes the existing policies and programs to enhance the overall pedestrian accessibility.

Legal Requirements

The federal legislation known as the American with Disabilities Act (ADA), enacted on July 26, 1990, provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation, and telecommunications.

Title II specifically applies to "public entities" (state and local governments) and the programs, services, and activities they deliver. Title II Article 8, requires public entities to take several steps designed to achieve compliance. The plan shall, at a minimum include:

1. A list of the physical barriers in a public entity's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities.
2. A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible.
3. The schedule for taking the necessary steps to achieve compliance with Title II.
4. The name of the official responsible for the plan's implementation.

Transition plans provide a method for a public entity to schedule and implement ADA required improvements to existing streets and sidewalks. Following the acceptance of the Transition Plan, an ADA Policy Statement will be distributed to the public, as depicted in Attachment D.

I. Obstacles to the Public Right-of-Way

The City of Dover will identify and assess obstacles in the public right-of-way through the use of our Graphical Information System software by June 30, 2018. This will be updated on a regular basis.

In order to remove these identified barriers to accessibility, the City of Dover utilizes many different approaches in removing barriers in the public right-of-way, including proactively identifying and eliminating the barrier, responding to public complaints, and ensuring the appropriate design and build-out of new construction following the most recent design guidelines.

A. Barrier Removal Priorities

The City of Dover bases barrier removal priorities on two factors: location and the accessibility condition of the intersection.

1. Location Priority

The City of Dover has identified its location priority as follows:

1. Intersections serving government buildings, schools, medical facilities and parks.
2. Intersections serving commercial buildings, employment centers and the Downtown Development District.
3. Intersections serving other areas.

2. Accessibility Condition

Using the data collected from the Graphical Information System software, an accessibility condition barrier is to be determined as follows:

1. No ramp where one is needed.
2. Sidewalk width less than 36".
3. No truncated domes.
4. Poor slope = cross slope >3%, running slope > 8.33% (1" on 12").
5. Sidewalk connectivity not present.

3. Priority Rank

In order to determine the overall priority of an intersection, the following matrix will be used.

	Location Priority		
	1	2	3
Access Condition	Locations serving Government Facilities *	Locations serving Commercial & Employment Centers**	Locations serving Other Areas
Red	1	2	3
Yellow	1	2	3
Green	1	2	3

* Government Buildings, Schools, Medical Facilities, Parks.

** Commercial Buildings, Employment Centers, Downtown Development District.

The priority of improvements is based on identifying which of the intersections are in a high, medium, or low priority locations and the amount of accessibility conditions found that need to be removed. The accessibility condition barriers will be designated as follows:

Red - Two or more barriers

Yellow - One barrier

Green - Compliant

B. Public Complaint Process

The public complaint process is an integral part of the Transition Plan. Public complaints, or requests, may often drive the prioritization of improvements. To file a complaint, or a request regarding accessibility of a sidewalk, or curb ramp, contact the ADA Coordinator in writing and describe the issue in detail, including the location. The ADA Coordinator will route this information to the appropriate City of Dover Department of Public Works Division for inspection and possible action. That Division will then respond to the ADA Coordinator with its findings and the ADA Coordinator will record the formal response and reply to the complainant/requestor with the action that will occur. All complaints, or requests will be kept on file and will include the response. The complaints procedure is referenced in Attachment D, the ADA Policy Statement.

C. New Construction and Alterations

In order to ensure the correct design of curb ramps, sidewalks, and crosswalks in new construction and alterations, the City of Dover follows the latest version of DeIDOT

design specifications. Whenever there is an intersection improvement project, new construction project, or repaving project, any affected curb ramps, sidewalks, and crosswalks will be rebuilt to these ADA design guidelines, where feasible and reasonable.

II. Schedule

As opportunity allows, the City of Dover will make efforts to improve the ADA Accessibility of pedestrian facilities in the public right-of-way. At this time, the City of Dover has a capital improvement program in place whereby each road that is improved will include the repair of any ADA deficiencies. Note that this repair schedule is flexible, as changes may occur due to additional funding availability, improvements due utility companies, etc. There will be times when it is technically infeasible to provide compliance, such cases include, but are not limited to, when there is not enough flat area available for handicap movements at the top of the ramp because it is obstructed by a building, or the slope of a hill is so steep that it would prevent an adjacent sidewalk to be constructed to ADA compliance. In matters such as these, the city will reach out to the DelDOT ADA Coordinator for a variance.

Additionally, given a sidewalk inventory as broad and comprehensive as the City's pedestrian network, the City will follow the concept of Program Access under Title II of the ADA. Essentially, this concept allows the City the ability to not install a sidewalk at a specific location as long as a reasonable path of travel is available.

III. Responsible Individual

The Department of Public Works will manage this Transition Plan. The ADA Coordinator responsible for the implementation of the City of Dover's ADA Transition Plan for the pedestrian facilities in the public right-of-way is:

Andy McNatt
Construction Inspector
Phone: (302)-760-4927
Fax: (302)-736-7029
Email: amcnatt@dover.de.us

IV. Public Input

The City of Dover provided opportunities for individuals to comment on this Transition Plan, which included:

Document copies available and notices sent to the Dover Public Library.

Document made available on the City's website and in the City Clerk's Office.

The City of Dover published legal notices in the local newspaper, The Dover Post, starting on October 25, 2017. The advertisement provided instructions regarding the timetable for comments and where to send them (see Attachment B). Public comments were accepted for a period of no less than thirty (30) days, and will be accepted throughout the life of this Transition Plan. The public comment form is available on Attachment C. Formal adoption of the Transition Plan took place on January 22, 2018.

V. Attachments

- A. Current List of Barriers for Removal in Priority Schedule Order
- B. Advertisement for Public Feedback
- C. Public Comment and Response Form
- D. ADA Policy Statement

Attachment A – Current List of Barriers for Removal in Priority Schedule Order

Attachment B – Advertisement for Public Feedback

SOLICITING PUBLIC FEEDBACK – ADA TRANSITION PLAN

CITY OF DOVER

Please take notice that the City of Dover is in the process of compiling an ADA (American with Disabilities Act) Transition Plan. The City of Dover invites the public to become involved in this process through written comments. The Public Comment and Response Form is available on the City of Dover's website; www.cityofdover.com. The City Manager has appointed Andy McNatt, Construction Inspector, as ADA Coordinator of the City of Dover ADA Transition Plan for pedestrian facilities in the public right-of-way. He can be reached at 302-760-4927, by fax at 302-736-7029, email: amcnatt@dover.de.us, or by filing the Public Comment and Response Form, which will be provided at the Department of Public Works, 15 Loockerman Plaza, Dover, DE, 19901.

Date: October 25, 2017

Attachment C – Public Comment and Response Form



CITY OF DOVER DEPARTMENT OF PUBLIC WORKS

PO Box 475
Phone: 302-736-7025

Dover, DE 19903
Fax: 302-736-4217

Date of Comment: _____

Location of Complaint: _____

Name of Person: _____

Address: _____

Phone Number: _____

Email Address: _____

Comment: _____

Response: _____

Attachment D – ADA Policy Statement

CITY OF DOVER
15 Loockerman Plaza
Dover, Delaware 19901

Americans with Disabilities Act Transition Plan (ADA): Pedestrian Facilities in the Public Right-of Way

Introduction:

The purpose of this plan is to ensure that the City of Dover creates reasonable, accessible paths of travel in the public right-of-way for everyone, including people with disabilities. The City of Dover has made a significant and long-term commitment to improving the accessibility of their pedestrian facilities. The Transition Plan will identify physical barriers and prioritize improvements that should be made throughout the City of Dover. This Transition Plan will describe the existing policies and programs to enhance the overall pedestrian accessibility.

Legal Requirements:

The federal legislation known as the American with Disabilities Act (ADA) enacted on July 26, 1990 provides comprehensive civil rights protections to persons with disabilities in areas of employment, state and local government services, and access to public accommodations, transportation and telecommunications.

Title II specifically applies to "public entities" (state and local governments) and the programs, services and activities they deliver. Title II Article 8, requires public entities to take several steps designed to achieve compliance. The City plan will, at a minimum include:

1. A list of the physical barriers in a public entity's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities.
2. A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible.
3. The schedule for taking the necessary steps to achieve compliance with Title II.
4. The name of the official responsible for the plan's implementation.

The City is in the process of identifying and assessing obstacles in the public right of way through the use of Geographic Information Systems software. Barrier Removal Priorities based on location priority and accessibility conditions will be a part of the inventory process. It is very important that the public be aware that their involvement in this plan is a valuable component to the City in compiling a workable plan of compliance. Your involvement is solicited in developing the ADA Transition Plan.

Public Complaint

Public complaint, suggestions and comments can also be an integral part of the Transition Plan. Public comments may often drive the prioritization of improvements. The Public Comment and Response Form, which is available at the Department of Public Works, 15 Loockerman Plaza, Dover, DE 19901 and at our website; www.cityofdover.com should be completed. The form should be delivered to the ADA Coordinator, Andy McNatt, Construction Inspector for the City of Dover, at City of Dover, 15 Loockerman Plaza, Dover, DE 19901, or via email amcnatt@dover.de.us.

Public Input:

Public Comment and Response Forms are available on the City of Dover website, www.cityofdover.com. The City of Dover welcomes your participation and unique outlook as to how the City can meet and exceed ADA requirements and recommendations. Public involvement in the City's ADA plan has been a valuable component to the City in compiling a workable plan of compliance. We continue to solicit your additions to the ADA Transition Plan.

An inventory of the City of Dover intersections will be included with this Transition Plan, upon completion.

The plan to complete the ADA requirements is through the annual Department of Public Works operational budget and the capital improvement plan budget and will bring the pedestrian network into compliance.

As stated above, the City will annually include ADA compliance with our paving projects.

Donna Mitchell, Acting City Manager
Dover City Council
January 22, 2018