

Background

Public rights-of-way and facilities are required to be accessible to persons with disabilities through the following statutes: Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. §794) and Title II of the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §§ 12131-12164). These statutes prohibit public agencies from discriminating against persons with disabilities by excluding them from services, programs, or activities. They mean that public agencies must provide access to the agency's pedestrian facilities for persons with disabilities. Regulations implement this requirement by imposing standards for accessible features such as curb ramps and detectable warnings.

While all municipalities must comply with Title II, evaluating their current services, policies, and practices and proceeding to make the necessary modifications to comply with the Americans with Disabilities Act (ADA), the ADA also requires that public agencies with more than 50 employees maintain a Transition Plan. The transition plan must include a schedule for providing access features, including curb ramps for walkways. The schedule should first provide for pedestrian access upgrades to State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas. The transition plan should accomplish the following four tasks:

- 1) identify physical obstacles in the public agency's facilities that limit the accessibility of its programs or activities to individuals with disabilities;
- 2) describe in detail the methods that will be used to make the facilities accessible;
- 3) specify the schedule for taking the steps necessary to upgrade pedestrian access to meet ADA and Section 504 requirements in each year following the transition plan; and,
- 4) indicate the official responsible for implementation of the plan. 28 CFR §35.150(d)(3). (9-12-06)

In order to assist Capital Region municipalities with this task, CDTC completed a region-wide inventory of sidewalk facilities and sent this data to each town, city, or village. We also hosted a training by the Federal Highway Administration in September 2016. We would like to understand regional progress toward sidewalk and curb ramp compliance with the ADA. Please answer the following questions to the best of your ability. Information may need to be gathered from other municipal representatives.

Please submit your survey responses by 5:00 PM on May 1, 2015.

* 1. Do you have an ADA coordinator?

- Yes
- No
- I don't know

* 2. Do you have an ADA notice procedure?

- Yes
- No
- I don't know

* 3. Do you have an ADA grievance procedure?

- Yes
- No
- I don't know

ADA Survey Follow-Up – Municipal Pedestrian Facilities and Transition Plan

* 4. Does your municipality currently have an ADA transition plan?

- Yes
- No

If yes, what year was it developed?

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* 5. Is it available online?

- No
- I don't know
- Yes - please provide link

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* 6. Does your municipality inventory sidewalks and other pedestrian facilities?

- Yes
- No
- Other (please specify)

* 7. Does your municipality inventory the condition of sidewalks and other pedestrian facilities?

- Yes
- No
- Other (please specify)

8. What data on sidewalks and other pedestrian infrastructure do you have? (check all that apply)

- Presence/Absence of sidewalk by location that CDTC sent
- Other sidewalk location data that did not come from CDTC
- Condition of sidewalks, crosswalks, and/or curb ramps
- Crosswalks
- Curb Ramp locations
- Slopes
- Pedestrian signals
- Other (please specify)

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* 9. Has your municipality inventoried ADA compliance for pedestrian facilities?

- Yes
- No
- We've started, but haven't finished

10. Have you used the sidewalk data that CDTC sent to your municipality?

- No
- I don't know
- Yes (please specify what, for example ADA Transition Plan, bicycle network planning, trail planning, etc.)

11. Are there sidewalks that were missing from the sidewalk data that CDTC sent your municipality?

- Yes
- No

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* 12. By what standards have you inventoried ADA compliance?

- ADAAG (ADA Accessibility Guidelines)
- 2010 Standards (ADAAG and 28 CFR Section 35.151)
- Uniform Federal Accessibility Standards
- 1991 Standards
- PROWAG (Public Right of Way Accessibility Guidelines)
- I don't know
- Other (please specify)

* 13. What data elements are included in your ADA compliance inventory? (check all that apply)

- Presence/absence of sidewalk or trails
- Condition of sidewalks
- Presence/absence of curb ramps
- Condition of curb ramps
- Presence/absence of detectable warnings
- Slopes
- Pedestrian signals
- Other (please specify)

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14. Does your municipality use GIS (geographic information systems)?

- Yes
- No

15. Does your municipality collect sidewalk or other pedestrian data using GIS?

- Yes
- No

* 16. Does your municipality have design guidelines pertaining to sidewalks or other pedestrian facilities?

- Yes
- No
- My municipality uses Chapter 18 of the NYSDOT Highway Design Manual
- My municipality uses Public Rights-of-way Guidelines (PROWAG)
- I don't know
- Other (please specify)

* 17. How does your municipality fund sidewalk/trail maintenance?

- Funded by municipality
- Funded by private property owners
- I don't know
- Other (please specify)

* 18. Who is responsible for snow removal on sidewalks?

- The City, Town, or Village
- The property owner
- I don't know
- Other (please specify)

* 19. Does your municipality have a method to ensure snow removal on sidewalks/ crosswalks?

- Yes
- No
- I don't know

20. Are there any other questions, comments, or information you would like to provide regarding ADA Transition Plans?

* 21. Please provide us contact info for the person at your municipality who is responsible for ADA compliance:

Name

Municipality

Address

Address 2

City/Town

ZIP/Postal Code

Email Address

Phone Number

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Thank you for taking the time to complete the survey!

For more information please contact:

Carrie Ward

(518) 458-2161

cward@cdtcmpo.org

Helpful Links:

[Capital District Transportation Committee](#)

[FHWA Q&A about ADA/Section 504](#)