



City of Tualatin

Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan

September 2018



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Acknowledgements

Many individuals were involved with the development of the City of Tualatin ADA Self-Evaluation and Transition Plan.

City Leadership

Lou Ogden, Mayor

Frank Bubenik, Councilor Position 1

Paul Morrison, Councilor Position 2

Jeff DeHaan, Councilor Position 3

Robert Kellog, Councilor Position 4

Nancy Grimes, Councilor Position 5

Joelle Davis, Councilor Position 6

Sherilyn Lombos, City Manager

City Staff

Kelsey Lewis, ADA Project Manager & Management Analyst

Clay Reynolds, Maintenance Services Manager

Debra Bullard, ADA Coordinator

Jeff Fuchs, Public Works Director

Jerianne Thompson, Library Manager

Paul Hennon, Community Services Director (retired)

Rich Mueller, Parks & Recreation Manager

Sean Brady, City Attorney

Tanya Williams, Assistant to the City Manager

ADA Task Force

Amalia Schoken

Andrew Evans

Dawn Upton

Gary Holden

Joe Lipscomb

Ruby Buchholtz

Manasi Sridhar

Margo Traines

Consultants



815 SW 2nd Avenue, Suite 200
Portland, OR 97214

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1. Introduction

This ADA Self-Evaluation and Transition Plan will support the City of Tualatin in fulfilling the requirements set forth in title II of the Americans with Disabilities Act (ADA). The ADA states that a public entity must reasonably modify its policies, practices, or procedures to avoid discrimination against people with disabilities. This Plan will assist the City in identifying policy, program, and physical barriers to accessibility, and will guide the City in developing barrier removal solutions.

The evaluation of policies, programs, and services is described in *Section 2 – Self-Evaluation of Policies, Procedure, and Programs* of this document. It details the review of City policies, services, programs, and activities and is based on responses to a program accessibility questionnaire, which was completed by staff, and a review of City documents and policies.

The evaluation of architectural barriers is described in *Section 3 – ADA Transition Plan*, and is the result of a detailed evaluation of the City of Tualatin’s parks, trails and greenways, buildings, and public right-of-way where programs, activities, and services are available to the public.

Section 4 – ADA Policy and Complaint Procedure includes the City’s notice under the ADA and the City’s ADA Grievance Procedure.

Commonly used terms within this document and in the ADA are included in *Section 5 – Definitions*, and *Section 6 – Program Accessibility Guidelines, Standards, and Resources* contains a directory of disability organizations, guidelines, and resources for addressing the recommendations included in this Plan.

The City of Tualatin has designated Debra Bullard as its primary ADA Title II Coordinator. The ADA Coordinator is responsible for coordinating the efforts of the City to comply with title II and for investigating any accessibility-related complaints. The ADA Coordinator is also responsible for coordinating the efforts of the City to comply with all other applicable state and federal accessibility requirements.

1.1 Legislative Mandate

The ADA is a comprehensive civil rights law for persons with disabilities in both employment and the provision of goods and services. The ADA states that its purpose is to provide a “clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.” Congress emphasized that the ADA seeks to dispel stereotypes and assumptions about disabilities and to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for people with disabilities. Congress passed the ADA on July 26, 1990. Title II of the ADA covers programs, activities, and services of public entities. Under the requirements of the ADA:

No qualified individual with a disability shall, on the basis of 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 public entity.¹

Further, title II of the ADA provides that public entities must identify and evaluate all programs, activities, and services and review all policies, practices, and procedures that govern administration of

¹ Department of Justice, Title II Regulations Subpart B § 35.130 General prohibitions against discrimination

the entity's programs, activities, and services.² This Plan and certain documents incorporated by reference establish the City of Tualatin's ADA Self-Evaluation and Transition Plan.

Application of Regulations

As a public entity, the City of Tualatin is subject to the ADA's title II Requirements for State and Local Government Programs and Services, and is responsible for the provision of accessible programs and facilities that are available without discrimination toward people with disabilities. A fundamental tenet of title II of the ADA is *"the principle that individuals with disabilities must be provided an equally effective opportunity to participate in or benefit from a public entity's aids, benefits, and services."*³ This principle is referred to as program accessibility.

*A public entity may not deny the benefits of its programs, activities, and services to individuals with disabilities because its facilities are inaccessible. A public entity's services, programs, or activities, when viewed in their entirety, must be readily accessible to and usable by individuals with disabilities. This standard, known as "program accessibility," applies to all existing facilities of a public entity. Public entities, however, are not necessarily required to make each of their existing facilities accessible.*⁴

As a public entity, the City is required to ensure program accessibility for the programs it provides to the public.

Maintaining Accessible Facilities

In addition to providing programmatic access, the City is obligated to maintain all accessible facilities in working order. Exceptions are provided for temporary disruptions. The ADA contains the following language regarding the maintenance of accessible features:

Maintenance of Accessible Features. *Public entities must maintain in working order equipment and features of facilities that are required to provide ready access to individuals with disabilities. Isolated or temporary interruptions in access due to maintenance and repair of accessible features are not prohibited.*

Where a public entity must provide an accessible route, the route must remain accessible and not blocked by obstacles such as furniture, filing cabinets, or potted plants. An isolated instance of placement of an object on an accessible route, however, would not be a violation, if the object is promptly removed. Similarly, accessible doors must be unlocked when the public entity is open for business.

*Mechanical failures in equipment such as elevators or automatic doors will occur from time to time. The obligation to ensure that facilities are readily accessible to and usable by individuals with disabilities would be violated, if repairs are not made promptly or if improper or inadequate maintenance causes repeated and persistent failures.*⁵

² Department of Justice, Title II Regulations Subpart A § 35.105 Self-evaluation

³ The Americans with Disabilities Act, Title II Technical Assistance Manual II-3.3000

⁴ The Americans with Disabilities Act, Title II Technical Assistance Manual II-5.1000

⁵ The Americans with Disabilities Act, Title II Technical Assistance Manual II-3.10000

1.2 Discrimination and Accessibility

This section provides an overview of physical and programmatic accessibility and the basic methods of providing access. Absence of discrimination requires that both types of accessibility be provided.

Physical accessibility requires that a facility be barrier-free. Barriers include any obstacles that prevent or restrict the entrance to or use of a facility.

Programs offered by the City to the public must be accessible. Program accessibility requires that individuals with disabilities be provided an equally effective opportunity to participate in or benefit from a public entity's programs and services. Accessibility includes advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids and services, transportation, policies, and communication.

The City may achieve program accessibility by several methods:

- Structural methods such as altering an existing facility;
- Acquisition or redesign of equipment;
- Assignment of aids; and/or
- Providing services at alternate accessible sites.

When choosing a method of providing program access, the City is required to prioritize the method that results in the most integrated setting appropriate to encourage interaction among all users, including individuals with disabilities. In compliance with the requirements of the ADA, the City must provide equality of opportunity.

1.3 ADA Self-Evaluation and Transition Plan Requirements and Process

The ADA Self-Evaluation and Transition Plan is intended to provide a framework for the continuous improvement of City programs and facilities for people with disabilities. The Plan is intended to be a living document that is regularly updated as programs and services change, as barriers are removed, and new facilities come under ownership or control of the City.

The ADA Self-Evaluation identifies and makes recommendations to correct policies and practices in the City's programs and services that are inconsistent with title II regulations and result in limited access for persons with disabilities. As part of the Self-Evaluation, the City:

- Evaluates services, policies, and practices;
- Identifies modifications needed to services, policies, and practices; and
- Involves people with disabilities in the self-evaluation process.⁶

Programs, activities, and services offered by the City to the public must be accessible for people with and without disabilities. Accessibility applies to all aspects of programs or services provided by the City, including:

- Accessible/adaptive equipment;
- Contracting, licensing, or other arrangements;
- Customer service;
- Emergency evacuation procedures;
- Facilities;
- Notice requirements;
- Printed information;
- Program eligibility and admission;
- Public meetings;
- Public telephones and communication devices;
- Special events on public properties;
- Televised and audiovisual public information;
- Tours and trips;
- Training and staffing;
- Transportation services; and
- Website.

The Transition Plan is a document that outlines a strategy for the City to progress toward compliance with the ADA. The Transition Plan identifies physical barriers for persons with disabilities and a schedule to remove those barriers over time and must:

- List barriers;
- Identify feasible solutions to each barrier;
- Establish a timeline for removing barriers;
- Identify the person responsible for title II compliance; and
- Involve people with disabilities in the preparation of the Plan.⁷

⁶ Department of Justice, Title II Regulations Subpart A § 35.105 Self-evaluation.

⁷ Department of Justice, Title II Regulations Subpart A § 35.150 (d) Transition plan

Self-Evaluation

In 2017, the City evaluated its policies, programs, and procedures to determine current levels of service and the extent to which its policies and programs created barriers to accessibility for persons with disabilities. Recommended actions for City programs, activities, and services can be found in Section 2 of this Plan.

Transition Plan

The City of Tualatin completed a physical audit of facilities in 2017 to identify potential facility barriers and identify recommendations and alterations to meet state and federal accessibility standards. The type of facilities evaluated includes:

- City-owned parks;
- City-owned trails and greenways;
- City-owned buildings; and
- City-owned public right-of-way.

Additionally, the City conducted an independent evaluation of the five City-owned, core area parking lots in 2016. The findings of this evaluation are included in Appendix D.

At the time of the facility evaluations, the following resources were used to identify barriers at City facilities: the ADA 2010 Standards, 2014 Oregon Structural Specialty Code (OSSC) Chapter 11 Accessibility, 2015 Architectural Barriers Act (ABA) Standards for Outdoor Developed Areas, 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), 2009 Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), and the 1991 ADA Standards for Accessible Design (ADAAG). Building codes and standards are revised every few years. The barrier evaluations conducted provide an assessment of current conditions as viewed by current code and provide a baseline for future barrier removal.

Public Outreach

Public entities are required to accept comments from the public on their ADA Self-Evaluation and Transition Plan, and are strongly encouraged to consult with individuals with disabilities and organizations that represent them to assist in the self-evaluation process. Many individuals with disabilities have unique perspectives on a public entity's programs, activities, and services.

A page was designated on the City's website to serve as an information portal for the Transition Plan process and an ADA Task Force was formed. The ADA Task Force includes nine people who are members of the disability community, or who use or help others use our accessible facilities. Task Force members were appointed by the Tualatin City Council on August 14, 2017. The Task Force met three times during the ADA Self-Evaluation and Transition Plan process.

The Task Force shared their opinions and experiences related to City facilities, programs, and services as they relate to the ADA, provided input in the prioritization of barriers, and reviewed and provided comment on the draft plan. The Task Force met on October 25, 2017, December 13, 2017, and March 19, 2018. The materials for each meeting are provided on the City's website at <https://www.tualatinoregon.gov/engineering/ada-transition-plan-project> and the agendas for each meeting are included in this document as Appendix A.

The public review draft of the Plan was posted on the City's website and hard copies were made available on April 2, 2018 at highly frequented facilities such as the library and senior center for public comment before the final presentation to Council.

2. ADA Self-Evaluation of Policies, Procedures, and Programs

Accessibility applies to all aspects of a program or service, including advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids and services, transportation, and policies. The City is required to communicate effectively with people who have communication (vision, hearing, or speech) disabilities. The goal is to ensure that communication with people with these disabilities is equally effective as communication with people without disabilities. The requirements apply to written documents provided at the program delivery site or on the website, telephone communications, and televised and audiovisual programs. This may include providing auxiliary aids and services such as alternative formats for written materials or qualified interpreters for people who are deaf or have hearing loss, speech, or language disorders. Programs, activities, and services offered by the City to the public must be accessible as required by law.

Section 2.2 details the review of current City-wide policies, services, programs, and activities based on meetings with staff and responses to the program accessibility questionnaire. The questionnaire was available online in August and September 2017.

The policies and practices that govern the administration of City programs, activities, and services were reviewed to ensure that they do not adversely affect the full participation of individuals with disabilities. Public documents available on the City's website were reviewed, including laws, ordinances, regulations, administrative manuals and guides, policy directives, memoranda, standards, and specifications. Details of this review are found in Sections 2.2 and 2.3 and Appendix B.

The recommendations contained in this section will serve as a basis for the implementation of specific strategies that will improve access to City programs, as required by law.

2.1 Programmatic Modifications

The ADA Title II Coordinator, or designee, will follow-up with each department to review the recommendations contained in the self-evaluation. In those situations where a policy, program, or procedure creates a barrier to accessibility that is unique to a department or a certain program, the ADA Coordinator, or designee, will coordinate with the program manager to address the removal of the barrier in the most reasonable and accommodating manner in accordance with applicable law.

2.2 Program Accessibility Questionnaire: Required or Recommended Actions

The findings from the self-evaluation questionnaire are organized into categories based on the requirements of title II of the ADA.

- Accessible/Adaptive Equipment
- Customer Service
- Notice Requirements
- Printed Information
- Televised and Audiovisual Information
- Website
- Telephones and Communication Devices
- Training and Staffing
- Program Participation
- Program Eligibility Requirements and Admission
- Public Meetings
- Transportation Services
- Tours and Trips
- Contracting, Licensing, or Other Arrangements⁸
- Emergency Evacuation Procedures
- Facilities
- Special Events and Private Events on Public Properties

Actions are listed as required or recommended based on the Americans with Disabilities Act. Some actions are always required, such as posting a notice of non-discrimination, while other actions are only required when requested, such as providing alternative formats like large print agendas. In many cases, the City has many alternatives in selecting methods for providing accessible programs, activities, and services. Where applicable, links are provided to the federal government's best practices documents.⁹

⁸ In the questionnaire, this category was called 'Consultants.' It was updated here to more closely mirror regulatory language.

⁹ For the full "Best Practices Tool Kit for State and Local Governments," see <https://www.ada.gov/pcatoolkit/toolkitmain.htm>. The Tool Kit should be considered a helpful supplement to – not a replacement for – the regulations and technical assistance materials that provide more extensive discussions of ADA requirements. It also does not replace the professional advice or guidance that an architect or attorney knowledgeable in ADA requirements can provide.

Accessibility/Adaptive Equipment

Adaptive aids are devices, controls, appliances, or items that make it possible for persons with disabilities to improve their ability to function independently and participate in programs, services, and activities offered by the City.¹⁰ For example, a pen, note pad, and clip board provided to a person with a hearing or speech impairment to write notes on or accessible electronic equipment such as an accessible computer station are considered adaptive equipment.

Required or Recommended Actions

1. It is required to provide and maintain in working order accessible equipment for people with disabilities when the public is allowed or required to use equipment such as computers, copy machines, telephones, or other technologies.¹¹
2. It is recommended:
 - To collaborate with community organizations that serve people with disabilities to develop and maintain a current resource list of assistive technology equipment and sources.
 - To establish and maintain a “Resources Toolkit” of adaptive aids and human resources that should be available for use by individuals participating in City programs. Include information about the availability of specific equipment and/or individuals who are available to provide special services (e.g., ASL translation) in public information materials such as brochures and the City’s website.
 - To include accessibility as a criterion for purchasing. Whenever possible, evaluate furniture and building material purchases for compatibility with a wide range of disabilities and sensitivities. Select items that are easily adjustable or can be modified to accommodate a variety of physical and ergonomic needs when purchasing items such as furniture, site furnishings, and office systems. Consultation with disability organizations and persons with disabilities will assist in this task.

Customer Service

In-person interaction with the public is one of the primary functions of most City departments. To meet ADA standards for in-person interactions, staff should be aware of the formal and informal procedures for accommodating people with disabilities, including appropriate responses to requests for program modifications and guidelines for accommodating service animals.

Required or Recommended Actions

1. It is required that the City continue the policy of not charging an additional fee to the person requesting accommodation for their disability for program modifications or alternative formats.¹²
2. It is required that the City continue the policy of not excluding service animals in City facilities.¹³

¹⁰ See <https://www.ada.gov/pcatoolkit/chap1toolkit.htm>

¹¹ Title 28, Chapter 1, § 35.133 Maintenance of accessible features

¹² Title 28, Chapter 1, § 35.130 General prohibitions against discrimination

¹³ Title 28, Chapter 1, § 35.136 Service animals

3. It is required to continue to make appropriate modifications to regular practices to accommodate the needs of individuals with disabilities when providing customer service.¹⁴
4. It is recommended:
 - That the City develop a formal process for responding to, reporting, and tracking accommodation requests. Criteria should be developed for determining reasonable modifications to provide program accessibility, which may include acquisition or redesign of equipment, assignment of aides to persons with disabilities, and provision of services at alternative accessible sites. This will support consistent access to City programs and services.
 - To assess the composition and needs of the population of people with disabilities, and take the necessary steps to improve communication and outreach to increase the effective participation of community members with disabilities in all City programs and activities.
 - To create partnerships with organizations that provide services to people with disabilities to assist in communication about accessible City programs. Keep programs up-to-date through increased community involvement and partnerships with organizations that offer services to persons with disabilities.
 - To publicize efforts to increase participation by persons with disabilities, which might include activities such as distributing program brochures to members of the disability community.
 - That a formal, consistent customer service approach includes:
 - Requests for reasonable modification in programs or services should be made to the department responsible for the program or service or to the City's ADA Coordinator.
 - The department offering the program or service should meet with the individual with a disability to identify which aspects of the program limit participation and what modifications can be made.
 - The department offering the program or service should consult with the relevant program or service staff to determine the reasonable modification. The department offering the program or service may also consult with the City's ADA Coordinator or other resources providing services or information regarding persons with disabilities as appropriate.
 - The department offering the program or service should document the modification(s) that was offered and the response of the person with the disability to the modification(s) offered. This documentation should be filed with the City ADA Coordinator. All accessibility requests should be tracked and analyzed periodically to look for global issues that can be addressed and problems that can be solved proactively.
 - If individuals with a disability are not satisfied with the results of this process, they should be directed to the City's ADA Grievance Procedure.

¹⁴ Title 28, Chapter 1, § 35.130 General prohibitions against discrimination

Notice Requirements

Title II regulations require the City to inform the public of the rights and protections provided by the ADA for access to public programs, services, and activities. It is the obligation of the head of the public entity to determine the most effective way of providing notice to the public about their rights and the public entity's responsibilities under the ADA. Publishing and publicizing the ADA notice is not a one-time requirement. State and local governments should provide the information on an ongoing basis, whenever necessary.¹⁵

Required or Recommended Actions

1. It is required that the City maintain the position of the ADA Coordinator.¹⁶
2. It is required that the City continue publishing a notice regarding the City's commitment to providing accessible services.¹⁷
3. It is required that the City continue to ensure effective communication and that interested persons can obtain information as to the existence and location of accessible services, activities, and facilities.¹⁸ One way to ensure this is by including a statement regarding the availability, upon request, of alternative formats and auxiliary aids on announcements for City programs and applications, including:
 - A non-discrimination notice in City hard copy and web publications that provides general information about City services, programs, or activities similar to the following:
The City of Tualatin does not discriminate on the basis of disability in the admissions or access to its programs or activities. An ADA Coordinator has been designated to coordinate compliance with the non-discrimination requirements contained in the Department of Justice regulations implementing Subtitle A of Title II of the Americans with Disabilities Act (42 U.S.C. 12131-12134), which prohibits discrimination on the basis on disability by public agencies.
Debra Bullard, ADA Coordinator
18880 SW Martinazzi Avenue, Tualatin OR, 97062
(503) 691-3022
 - The City's text telephone (TTY) number and/or Telecommunications Relay Service (711) information, and the phone number and email address of the person who can provide assistance in meeting special needs; and
 - A notice that 48-hour notice is required for requests for alternative formats or auxiliary aids.
4. It is recommended:
 - That the City establish a consistent advance-notice requirement for all departments, programs, and services. Presently, City sources provide differing information, sometimes requiring 36-hour notice and other times requiring 48-hour notice.

¹⁵ See <https://www.ada.gov/pcatoolkit/chap2toolkit.htm>

¹⁶ See <https://www.ada.gov/pcatoolkit/chap2toolkit.htm>; Title 28, Chapter 1, § 35.107 Designation of responsible employee and adoption of grievance procedures

¹⁷ Title 28, Chapter 1, § 35.106 Notice

¹⁸ Title 28, Chapter 1, § 35.163 Information and signage

- That the City increase outreach to persons with disabilities and the organizations that serve them. The City should inform the public of the possible modifications that can be provided to make services, programs, and activities accessible.
- That if the City uses radio, newspaper, television, or mailings, the notice should be re-published and re-broadcasted periodically.
- That the City make all staff aware of the public locations of the non-discrimination statement and the procedure for filing a disability discrimination complaint.

Printed Information

To meet the ADA's communication standards, City departments must be able to provide information, upon request, in alternative formats such as using easy-to-understand language, Braille, large-print format, audiotape or CD, computer media, or other formats as requested.¹⁹

Required or Recommended Actions

1. It is required that the City provide alternative formats to printed information, when requested (for example, enlarged print format for persons with visual disabilities or in simple language for persons with cognitive disabilities).²⁰
2. It is required that the City address all requests for other alternative formats for lengthy documents on an individual basis.²¹
3. It is required that any additional costs for alternative forms of communication are not assigned to the person with a disability requesting the alternative format.²²
4. It is required to provide programmatic changes (e.g., staff assistance), upon request to assist in filling out forms or when alternative formats are unavailable or infeasible.²³
5. It is recommended:
 - To include the following notice on materials printed by the City that are made available to the public:
This publication can be made available in alternative formats, such as large print, Braille, or electronic format. Requests can be made by calling Debra Bullard, ADA Coordinator, at (503) 691-3022, or by using the 711 Telecommunications Relay Service. Please allow 48 hours for your request to be processed.
 - That the City provide instruction to each department on how to produce printed information in alternative formats for persons with various disabilities to ensure that requests are handled in a uniform and consistent manner.
 - That when photos are part of a brochure or publication, photos of persons with disabilities are included.

¹⁹ See <https://www.ada.gov/pcatoolkit/chap3toolkit.htm>

²⁰ Title 28, Chapter 1, § 35.160 General

²¹ Title 28, Chapter 1, § 35.160 General

²² Title 28, Chapter 1, § 35.130 General prohibitions against discrimination

²³ Title 28, Chapter 1, § 35.130 General prohibitions against discrimination

Televised and Audiovisual Information

Televised and audiovisual information is a means for disseminating public information through presentations produced by City departments. All televised and audiovisual information, including PowerPoint presentations, must be accessible to persons with disabilities. As more communication is done remotely through the internet, it is increasingly important that all communication tools maintain accessibility as technology changes.²⁴

Required or Recommended Actions

1. It is required that the City provide, when requested, alternatives to audio presentations for City programs and for audiovisual presentations produced by the City (including videos, films, and City Council and Commission meetings) to ensure that persons with hearing impairments can benefit from these presentations.²⁵
2. It is recommended:
 - That when presenting PowerPoint or other visual presentations that the presenter read the slides and describe the graphics. This will allow people who are blind or visually impaired to receive the information being presented.
 - That when photos are part of an audiovisual presentation, images of persons with disabilities are included.

Website

As people turn to the internet as their primary source of information regarding services, programs, activities, and facilities, the City's website at www.tualatinoregon.gov takes on increased importance as a communications tool. Providing public access to City publications online is an effective means of reaching persons with disabilities.²⁶ New accessibility standards for electronic and information technology covered by Section 508 of the Rehabilitation Act Amendments of 1998 have set forth the technical and functional performance criteria necessary for such technology to be accessible.²⁷

Required or Recommended Actions

1. It is recommended:
 - That the City identify and implement tools to ensure the City website is accessible to people with disabilities, including those with visual impairment. The website should be monitored for continued compliance with accessible web page standards.
 - That the City conduct a web accessibility analysis to meet and/or exceed Section 508 of the Rehabilitation Act guidelines for accessibility of electronic information. Preliminary analysis

²⁴ See <https://www.ada.gov/pcatoolkit/chap3toolkit.htm>

²⁵ Title 28, Chapter 1, § 35.160 General. Closed captioning is not required for all televised or audiovisual presentations, but it is a common way of making them accessible to people who are unable to hear the audio portion, and in some instances, it might be the only accessible format.

²⁶ See <https://www.ada.gov/websites2.htm> and <https://www.ada.gov/pcatoolkit/chap5toolkit.htm>

²⁷ Section 508 of the Rehabilitation Act requires that Federal agencies' electronic and information technology is accessible to people with disabilities, including employees and members of the public. Many state and local public agencies have adopted these standards as best practices. Title 29, Chapter 16, § 794d Electronic and information technology

identified issues associated with coding and color contrast. Adequate contrast is necessary for all users, especially users with low vision.²⁸

- That the City continue to publish the Policy of Non-Discrimination, including on the Basis of Disability, on the City's website.
- That the City ensure that all departments use Siteimprove or other technological resources to create accessible PDF and graphics files as described in ADA standards for electronic and information technology. Provide training to City staff in creating accessible PDF and other electronic files for posting on City or departmental websites.
- That the City assign one department the authority to provide standards and oversight for contractors that create webpages and for departments that post their own documents. This will support consistent and accessible web pages. Monitor web pages for continued compliance with accessible web page standards.
- That the City increase outreach to persons with disabilities to identify website barriers and to ensure the website includes adequate information about the City's commitment to providing accessible services.

Telephones and Communication Devices

Even with technological advances such as cell phones, texting, and instant messaging, provision of alternative communication technologies such as teletypewriters (TTY), telecommunication display devices (TDDs), or relay services are still required for conducting communications with the public.²⁹

Required or Recommended Actions

1. It is required where the City communicates by telephone that it can communicate with a person with hearing impairment using a TTY system or equally effective telecommunications systems, such as TRS.³⁰
2. It is required that staff members are able to use TTY equipment or other means of communicating over the telephone with a person with a hearing or speech impairment, such as TRS, or are able to direct member of the public to knowledgeable staff.³¹
3. It is required that publications that list phone numbers also include information on how people with hearing and/or speech impairment can communicate with departments by phone.³²
4. It is recommended:
 - That City staff become familiar with Video Remote Interpreting Services (VRI) for communicating with people with hearing and/or speech impairments. There are many situations where a live interpreter is required, but VRI is a convenient, flexible, lower-cost alternative to live interpreters.

²⁸ This analysis came from the Web Accessibility Evaluation Tool at <http://wave.webaim.org/>.

²⁹ See <https://www.ada.gov/pcatoolkit/chap3toolkit.htm>

³⁰ Title 28, Chapter 1, § 35.161 Telecommunications

³¹ Title 28, Chapter 1, § 35.161 Telecommunications

³² Title 28, Chapter 1, § 35.161 Telecommunications; Title 28, Chapter 1, § 35.163 Information and signage

Training and Staffing

As a part of the City's on-going staff development and training, the incorporation of disabilities awareness, standards, and resources is encouraged for all staff interfacing with the public or who maintain the facilities used by the public.

Required or Recommended Actions

1. It is required that City staff is knowledgeable in providing accessible services, programs, and activities for the public and that accessible facilities are maintained in working order.³³
2. It is recommended that the City:
 - Provide all City staff members with ongoing awareness and sensitivity training.
 - Provide training to City staff members who have contact with the public about how to provide modifications and use assistive devices to make their programs, activities, and services accessible. Ensure that customer service training includes information about communicating with and providing modifications for persons with a variety of disabilities. Include program-specific adaptations, assistive devices, and modifications in each department's accessibility policy manual.
 - Develop a comprehensive disability access training program. Educate all City staff about their responsibilities under the ADA. The City's ADA Coordinator and department supervisors should be responsible for ensuring that staff members receive training. Reference materials that address special modifications should be included in this training.
 - Develop standard guidelines for training materials. These guidelines should include standard language that appropriately describes the City's policy on inclusion and non-discrimination, and staff members should receive training in using the guidelines effectively.
 - Consider offering training to employees who wish to learn basic American Sign Language (ASL) communication skills for staff who have contact with the public and depending on operational needs. This training should emphasize basic communication skills and should not be viewed as a substitute for utilizing qualified ASL interpreters when requested.
 - Train Maintenance Services staff with respect to accessibility compliance and building codes to maintain facilities in an accessible condition.
 - Provide City staff members with training in general building evacuation procedures for assisting persons with hearing, speech, visual, mobility, and learning disabilities in an emergency.

³³ Title 28, Chapter 1, § 35.160 General; Title 28, Chapter 1, §35.130 General prohibitions against discrimination

Program Participation

The public must be able to access all programs, service, and activities, regardless of disability.

Required or Recommended Actions

1. It is required that the City provide reasonable accommodations to program participants with disabilities.³⁴
2. It is required that individuals with disabilities are not excluded from regular programs and are not required to accept different or separate aids, benefits, or services even if they are as effective as those provided to others.³⁵
3. It is required to include individuals with disabilities in regular programs to the maximum extent possible.³⁶
4. It is required that the City modify standard policies, practices, or procedures to avoid discrimination unless the modification would fundamentally alter the nature of the program, result in an undue financial or administrative burden, or create a hazardous situation for the participant or others.³⁷
5. It is required that when specific policies that would exclude or limit the participation of persons with disabilities are necessary for the safe operation of programs, those requirements are based on real risks, not on speculation, stereotypes, or generalizations.³⁸
6. It is recommended:
 - That the City increase outreach to persons with disabilities and the organizations that serve them to ensure program accessibility. The City should also inform the public of the possible modifications that can be provided to make programs, services, and activities accessible.

Program Eligibility Requirements and Admission

The public must be able to access all programs, service, and activities, regardless of disability. Admission criteria, ability to complete forms, and participation in interviews must be available to all members of the public by providing reasonable accommodations.

Required or Recommended Actions

1. It is required that individuals with disabilities are not excluded from regular programs and are not required to accept different or separate aids, benefits, or services even if they are as effective as those provided to others.³⁹
2. It is required to include individuals with disabilities in regular programs to the maximum extent possible.⁴⁰

³⁴ Title 28, Chapter 1, §35.130 General prohibitions against discrimination

³⁵ Title 28, Chapter 1, §35.130 General prohibitions against discrimination

³⁶ Title 28, Chapter 1, §35.130 General prohibitions against discrimination

³⁷ Title 28, Chapter 1, §35.130 General prohibitions against discrimination

³⁸ Title 28, Chapter 1, §35.130 General prohibitions against discrimination

³⁹ Title 28, Chapter 1, §35.130 General prohibitions against discrimination

⁴⁰ Title 28, Chapter 1, §35.130 General prohibitions against discrimination

3. It is required that when interviews are required for program participation, they are held in an accessible location and that alternative formats or auxiliary aids are provided upon request.⁴¹
4. It is recommended:
 - That a non-discrimination statement is included on application or registration forms.

Public Meetings

Public meetings are a regularly occurring activity for public agencies. The main objective of any public meeting is to impart and solicit information on public issues of importance to the local government. Where these meetings are held is an important consideration in meeting the requirements of the ADA.

Required or Recommended Actions

1. It is required that public meetings continue to be held in accessible facilities to accommodate the participation of people with mobility disabilities.⁴²
2. It is required to provide agendas and other meeting materials in alternative formats, when requested.⁴³
3. It is required to provide flexibility in the time limit on speaking for individuals with communication difficulties.⁴⁴
4. It is required to have assistive listening devices available for public meetings that incorporate amplification.⁴⁵
5. It is recommended:
 - To display a notice on meeting agendas indicating the availability of accessibility modifications.
 - To prepare a list of accessible meeting spaces to facilitate the scheduling of meetings and/or the relocation of meetings upon request.
 - To move disability-related agenda items to the beginning of agendas when possible. Some people with disabilities are unable to stay late at meetings because they use para-transit, have fixed schedules, and/or need to use personal care attendants.
 - To maintain a list of on-call American Sign Language interpreters who may be brought to meetings to assist individuals with hearing impairments.
 - To provide instruction to City staff on the types of modification requests that may be made by persons with different types of disabilities, including auxiliary aids such as different types of assistive listening systems, sign language interpreters, readers, descriptive services, and other assistive technologies like real-time captioning. Provide guidance in the layout of the room, sign-in table, and refreshments table, to ensure that these features are accessible.
 - That a staff member is assigned as a greeter at public meetings and events. Identify the staff member as a resource for persons who may require assistance.

⁴¹ Title 28, Chapter 1, §35.130 General prohibitions against discrimination; Title 28, Chapter 1, § 35.160 General

⁴² Title 28, Chapter 1, § 35.160 General

⁴³ Title 28, Chapter 1, § 35.160 General

⁴⁴ Title 28, Chapter 1, § 35.160 General

⁴⁵ Title 28, Chapter 1, § 35.160 General; 2010 Standards 219.2 Required Systems

Transportation Services

Many public agencies provide public transportation services. The public accommodation standards for these services are set forth by the Federal Transit Administration.⁴⁶

Required or Recommended Actions

1. It is required that the City make reasonable modifications in policies, practices, or procedures for public transportation when the modifications are necessary to avoid discrimination on the basis of disability or to provide program accessibility to their services.⁴⁷

Tours and Trips

Many public agencies provide or facilitate tours and trips as part of their service. These tours and trips are subject to title II regulations. The City is responsible for ensuring that the tour can be experienced by people with disabilities, by making accommodations or modifications.

Required or Recommended Actions

1. It is required that the City modifies tours and trips, when requested, to enable people with mobility, visual, speech, hearing, and cognitive disabilities to participate.⁴⁸ Tour or trip registration materials must enable a person who may need accessibility accommodation to communicate the requested modification.
2. It is recommended:
 - To provide information to participants in advance of a tour or trip regarding the destination, transportation, and other characteristics of the event so that informed requests for accommodations can be made.
 - That the City evaluate the destination of the tour or trip and the means of transportation to determine accessibility, as well as any accommodations or modifications that may be required. If a tour route or a portion of a route is not accessible, the City will reroute the tour or provide alternate accommodations (e.g., photographs, close-captioned videos, etc.) that will allow the tour to be experienced if requested.

⁴⁶ Title 49, Subtitle A, Part 38 - Americans with Disabilities Act Accessibility Specifications for Transportation Vehicles. See specifications for transportation vehicles at <https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=2efb7bdb786c2e63145ea6e1cf788693&mc=true&r=PART&n=pt49.1.38>

⁴⁷ Title 28, Chapter 1, § 35.130 General prohibitions against discrimination; Title 49, Subtitle A, § 38.1 Purpose

⁴⁸ Title 28, Chapter 1, § 35.130 General prohibitions against discrimination

Contracting, Licensing, or Other Arrangements

Many public agencies rely on the use of contractors, licensees, consultants, and other entities for the delivery of services. These entities are considered an extension of the City's services and are required to adhere to the same ADA regulations as the City.

Required or Recommended Actions

1. It is required that contractors, licensees, consultants, and other entities providing or delivering services for the City adhere to the same ADA regulations as the City.⁴⁹
2. It is recommended:
 - That the City ensure contractors, licensees, and other entities are aware of their obligation to make City programs and activities are accessible.
 - That the City monitor programs and activities to ensure continued accessibility.
 - That the City provide a checklist and information to inform contractors, licensees, and other entities of their responsibility for accessibility under the ADA.

Emergency Evacuation Procedures

Life and safety protocols and procedures are required to include plans for people with disabilities. Issues that have the greatest impact on people with disabilities include:

- Notification;
- Evacuation;
- Emergency transportation;
- Access to medications, refrigeration, and back-up power;
- Access to their mobility devices or service animals while in transit; and
- Access to information.

In planning for emergency services, the City should consider the needs of visitors who use mobility aids such as wheelchairs, walkers, canes, crutches, or other power-driven mobility devices, or those with limited stamina. Plans also need to include visitors who use oxygen or respirators, those who are blind or have low vision, people who are deaf or have hearing loss, people who have a cognitive disability, people with mental illness, and those with other types of disabilities. The City is responsible for ensuring that staff are aware of these procedures and are trained to implement them during an emergency.⁵⁰

Required or Recommended Actions

1. It is required that when the City develops guidelines and a plan for emergency evacuations, these include strategies for persons with disabilities in various types of emergency situations.⁵¹ These plans should:
 - Address what to do when an alarm is triggered;
 - Establish meeting places for assistance and evacuation chairs;
 - Provide direction on what to do if assistance is not available; and
 - Establish floor captains.

⁴⁹ Title 28, Chapter 1, § 35.130 General prohibitions against discrimination

⁵⁰ See <https://www.ada.gov/pcatoolkit/chap7emergencymgmt.htm>

⁵¹ 42 U.S.C. § 12132; see generally, Title 28, Chapter 1, § 35.130, § 35.149

2. It is required that when the City develops guidelines and a plan for emergency evacuations, staff receives training to safely evacuate persons with disabilities in various types of emergency situations.⁵²
3. It is recommended:
 - To test the City's emergency plan by enlisting people with different disabilities to role-play during emergency simulations.
 - To test the City's emergency evacuation procedures with periodic drills, both announced and unannounced.
 - To review existing procedures dealing with emergencies to ensure that persons with disabilities can be alerted and that they can alert emergency service providers.
 - To work with disability organizations to explore the use of other technologies such as audible exit signs for orientation and direction and vibrating paging systems.
 - To provide training for public safety personnel to enable them to communicate in basic American Sign Language in the event there is an emergency condition and the area is being evacuated. For example, this training would be provided to police, firefighters, lifeguards, and building inspectors involved in post-disaster emergencies.
 - To take the necessary steps to ensure that emergency teams are aware of persons with disabilities in their communities who may require special assistance in the event of an emergency.
 - To provide American Sign Language interpreters at emergency facilities, on an as-needed basis. To accomplish this, form a pool of interpreters as a resource from which to draw upon.
 - To review specific suggestions for evacuation plans and procedures at the US Access Board website at <http://www.ada.gov/emergencyprepguide.htm>, and the Emergency Procedures for Employees with Disabilities in Office Occupancies document published by FEMA and the US Fire Administration.

⁵² 42 U.S.C. § 12132; see generally, Title 28, Chapter 1, § 35.130, § 35.149

Facilities

City facilities should be accessible to people with different types of disabilities. The identification of structural barriers in facilities such as buildings, parks, and the public rights-of-way are a required element of an ADA Transition Plan.

Required or Recommended Actions

1. It is required that the City ensure that interested persons can obtain information regarding the existence and location of accessible services, activities, and facilities.⁵³
2. It is recommended:
 - That the City provide information about facility accessibility on department publications, including the department's website. Relevant information includes the locations of accessible bathrooms, accessible parking, and accessible routes from transit and parking to program locations.
 - That requests relating to facility access be recorded and monitored. Accessibility requests should be analyzed periodically to look for global issues that can be addressed and problems that can be solved proactively.

Special Events and Private Events on Public Properties

All events on public property should be accessible to people with disabilities. When a public agency rents its properties to a third party for special events, the responsibility for maintaining an accessible environment is temporarily deferred to the tenant.

Required or Recommended Actions

1. It is recommended:
 - That in situations where private organizations sponsor events in City facilities, the City inform the organizer about applicable ADA requirements.
 - That the City provide a checklist and information during the application process to inform organizers of their responsibility for accessibility under the ADA.

2.3 Standard Drawings & Specifications: Required or Recommended Actions

The City's standard drawings and specifications available online in the summer of 2017 were evaluated to ensure that policies are nondiscriminatory to people with disabilities. These included:

- Standard Drawings, Revision April 24, 2017;
- Chapter 100 General Specifications, Revision April 24, 2017;
- Chapter 200 Design Requirement Specifications, Revision April 24, 2017; and
- Chapter 300 Technical Specifications, Revision April 24, 2017.

Recommendations for standards and specifications are provided in Appendix C of this document.

⁵³ Title 28, Chapter 1, § 35.163 Information and signage.

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Table 1. Policy and Program Review: Required and Recommended Actions

Policy/Program	Reference	Policy Review/Recommendations
General and Overall	Use of the word “handicap” in City policies	• Use of the word “handicap” is generally to be avoided. Recommend use of disability, disabled, or person with a disability.
	Document accessibility	• Ensure digital files, images, and documents are accessible for those with vision disabilities. Continue using Siteimprove or other resources to ensure readability of PDF documents by screen readers. • Recommend using Microsoft Word to establish styles for reading order of documents. • Recommend incorporating language about availability of documents in alternative formats. • Ensure alternative formats of digital files, images, and documents are available upon request.
	Document inclusivity	• Recommend incorporating pictures of people with disabilities.
	Contact information	• Recommend providing email and TTY contact information, where other contact information is provided, for people with hearing impairments.
ADA Policy and Notice	https://www.tualatinoregon.gov/administration/ada-accessibility	• Recommend providing TTY contact information for people with hearing impairments.
Advisory Committees and Boards	https://www.tualatinoregon.gov/advisorycommittees	• Recommend establishing a Board or Committee for People with Disabilities. • Recommend recruitment and inclusion of people with disabilities or caregivers of people with disabilities as members of all boards/committees. • Recommend providing details about accessibility of meetings. • Recommend incorporating language about application assistance for people with disabilities.

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Policy/Program	Reference	Policy Review/Recommendations
Architectural Review Checklist for Commercial, Industrial & Public	City of Tualatin Fact Sheet	• Use of the word “handicap” is generally to be avoided. Recommend use of disability, disabled, or person with a disability.
ArtWalk Brochure	https://www.tualatinoregon.gov/sites/default/files/fileattachments/parks_and_recreation/page/4698/06.15.16_artwalk_brochure-low_res.pdf	• Recommend clarifying accessibility of trails and facilities - current symbology is misleading.
City of Tualatin Job Application	https://agency.governmentjobs.com/tualatinor/default.cfm	• Recommend providing TTY phone number with the instructions for requesting an accommodation.
Complaint of ADA Noncompliance	https://www.tualatinoregon.gov/administration/webforms/complaint-ada-noncompliance	• Recommend including notice that alternative formats are available upon request.
Concerts on the Commons	https://www.tualatinoregon.gov/recreation/concerts-commons	• Recommend change of language to allow service animals to be off leash where being on leash would limit or restrict their specifically trained task.
Explore Tualatin Activity Guide	https://www.tualatinoregon.gov/recreation/activity-guide	• Recommend aligning advance notice requirements for accommodations with the City-wide policy.
Facility Accessibility	(documents reviewed are listed in Appendix B)	• Recommend providing details about accessibility of shelters, amenities, and facilities. • Recommend providing notation of accessibility of facility entrances and exits, especially in emergency planning maps and layout.

Policy/Program	Reference	Policy Review/Recommendations
Forms, Applications, and Permits	(documents reviewed are listed in Appendix B)	• Recommend including notice that alternative formats are available upon request. • Ensure that alternative formats are available upon request. • Recommend using Microsoft Word to establish styles for reading order of documents. • Recommend use of Adobe to create fillable PDF forms, applications, and permits. • Continue using Siteimprove or other resources to ensure readability of PDF forms, applications, and permits by screen readers.
Interactive Maps Gallery	http://gisapps.tualatinoregon.gov/Gallery/index.html	• Recommend ensuring that information contained in maps is available in alternative formats.
Meetings	https://www.tualatinoregon.gov/meetings/boardsandcommissions?starting%5Bvalue%5D%5Bdate%5D=09/02/2012&ending%5Bvalue%5D%5Bdate%5D=11/01/2012&committee=259&departments=All	• Ensure that meeting materials are available in alternative formats.
Park Rules	https://www.tualatinoregon.gov/recreation/park-rules	• Recommend change of language to allow service animals to be off leash where being on leash would limit or restrict their specifically trained task.
Personal Identification	Adult Drop-In Athletics & Tournaments Tennis & Pickleball Courts	• Ensure continued acceptance of non-driver's license identification.
Recreation Programs	(programs reviewed are listed in Appendix B)	• Recommend including notice that program modifications are available upon request. • Ensure that tours and day trips are accessible to people with disabilities.

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Policy/Program	Reference	Policy Review/Recommendations
Recreation Programs and Services from Non-City Providers	(programs reviewed are listed in Appendix B)	Recommend ensuring that services offered by non-City entities are accessible to people with disabilities.
Request for Reasonable Accommodation	https://www.tualatinoregon.gov/administrati on/webforms/request-reasonable-accommodation	Recommend including notice that alternative formats are available upon request.
Snow and Ice Response Procedures	https://www.tualatinoregon.gov/publicworks/snow-and-ice-response-plan	- Recommend including street crossings or other high priority pedestrian zones and sidewalks in Priority 1 and Priority 2. - Recommend providing information and safety recommendations to residents and businesses regarding their responsibility to clear their driveways and sidewalks. - Recommend incorporating snow and ice response procedures into a City emergency plan.
Special Events	(events reviewed are listed in Appendix B)	- Recommend ensuring that special events on City property are accessible to people with disabilities. - Recommend providing information about accessibility of the site/event.
Tualatin Development Code (incorporates the Comprehensive Plan / Tualatin Community Plan)	(specific sections are noted in Appendix B)	- Recommend adding definition for 'pedestrians' that incorporates people with disabilities, including those using mobility devices. - Use of the word "handicap" is generally to be avoided. Recommend use of disabled or person with a disability.

Policy/Program	Reference	Policy Review/Recommendations
Tualatin Municipal Code	(specific sections are noted in Appendix B)	• Use of the word “handicap” is generally to be avoided. Recommend use of disabled or person with a disability. • Recommend adding definition of service animal. • Recommend change of language from “seeing eye dog” to “service animal.” • Recommend change of language to allow service animals to be off leash where being on leash would limit or restrict their specifically trained task. • Recommend change of language from “a sightless person” to “a person with a disability.” • Recommend amendment to regulations regarding horses to allow for the use of Miniature Horses when providing assistance to a person with a disability.
Tualatin River Greenway Video	https://www.youtube.com/watch?v=q0CgbiVihYU&feature=youtu.be	• Recommend providing captions or transcripts for audiovisual presentations.
Tualatin Today - City Newsletter	https://www.tualatinoregon.gov/administration/tualatin-today-city-newsletter	• Ensure digital newsletter is accessible for those with vision disabilities. • Recommend incorporating pictures of people with disabilities.
Volunteers	Appointment with a Tutor / Cita con un tutor Library Volunteer Opportunities	• Ensure volunteers understand their responsibility to provide assistance for people with disabilities.

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3. ADA Transition Plan

Title II of the ADA requires that public entities having responsibility for or authority over facilities, streets, roads, sidewalks, and/or other areas meant for public use develop a Transition Plan to ensure their facilities meet the standards for program accessibility. Program accessibility means that a program, activity, and/or service is accessible when viewed in its entirety. Simply put, a Transition Plan transitions inaccessible facilities into environments that are accessible to and functional for individuals with disabilities.

The process of developing an ADA Transition Plan includes the identification of access barriers within the built environment. The Transition Plan for the removal of structural barriers to program access must contain the following information:

- Identification of the barriers to program access;
- Identification of the specific barrier removal action(s);
- Identification of a schedule for barrier removal; and
- Identification of responsibility for ensuring barrier removal.

This Transition Plan is organized into two parts: facilities, which includes parks, trails and greenways, buildings, and parking lots, and the public right-of-way, which includes curb ramps, sidewalks, and pedestrian signals that fall within the City's area of responsibility.

3.1 Schedule for Facility Improvements

Title II regulations state that if a transition plan will take more than one year to fully implement, it must contain interim steps to provide program accessibility. This plan proposes a 15-year strategy for removing barriers at City facilities and in the public right-of-way. The City reserves the right to modify barrier removal priorities to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, changes in City programs, and funding opportunities and constraints. The barrier removal strategy for the next 15 years incorporates flexibility in the process and allows the City to respond to new opportunities as they arise.

The City will accomplish barrier removal in its facilities and public right-of-way based on two strategies: policy and procedure modifications to remove programmatic barriers, and maintenance and construction projects to remove structural barriers. The City's ADA Title II Coordinator will be responsible for ensuring barrier removal. For the most current status of the remediation of barriers, contact the ADA Title II Coordinator.

3.2 Accessibility Standards

At the time of the facilities evaluations, the ADA 2010 Standards, 2014 Oregon Structural Specialty Code (OSSC) Chapter 11 Accessibility, 2015 Architectural Barriers Act (ABA) Standards for Outdoor Developed Areas, 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), 2009 Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), and the 1991 ADA Standards for Accessible Design (ADAAG) were used to identify barriers at City facilities. Building codes and standards are revised every few years. The barrier evaluations assessed current conditions as viewed by current code and provide a baseline for future barrier removal.

3.3 Facilities

During the site evaluations of parks, trails and greenways, and building facilities, all portions of exterior and interior features of the sites and facilities used by the public were evaluated. The assessment identified physical barriers in each facility that limit accessibility and compared each facility to the 2010 ADA, 2014 OSSC, and the 2015 ABA.

The site evaluations were accomplished using a consultant team equipped with measuring devices, City facility data, and evaluation checklists. Diagrams and maps of each site were annotated during the evaluation process and were included in the ADA Facility Assessment Report⁵⁴, which is available under separate cover from the City.

The City conducted an independent evaluation of the five City-owned, core area parking lots in the fall of 2016, included in this report as Appendix D. The phasing schedule for these facilities is incorporated into this Plan in Table 4.

The evaluation included 12 parks, 17 trails and greenways, and 12 buildings. The elements included in the evaluations are as follows:

- | | | |
|-------------------------------|--------------------------------|-----------------|
| • Boating Facilities | • Hazards | • Ramps |
| • Built-in Elements | • Judicial Facilities | • Restrooms |
| • Corridor/Aisles | • Kitchens | • Room Elements |
| • Curb Ramps | • Library | • Signs |
| • Doors/Gates | • Other Features | • Stairways |
| • Drinking Fountains | • Outdoor Constructed Features | • Trails |
| • Elevators | • Parking Areas | • View Areas |
| • Exercise Machines/Equipment | • Picnic Areas | • Walks |
| • Game and Sports Areas | • Play Equipment Areas | |

⁵⁴ The ADA Facility Assessment Reports are available under separate cover by contacting the City's ADA Title II Coordinator. The ADA Facility Assessment Reports are a snapshot in time of the facility at the time of evaluation. The reports do not reflect the dates or history of construction or alterations of the city of facilities. In some cases, the items contained in the reports are not required to be remediated because those items were compliant at the time of construction or alteration, or other options are available to the city to provide similar accessible programs, activities and services. The reports do not necessarily reflect actions that the City must undertake, but rather constitute a list of elements that were not consistent with accessibility standards current at the time of the evaluation.

Parks and Trails & Greenways

The evaluation conducted in the summer of 2017 included the following locations:

- Atfalati Park
- Brown's Ferry Park
- Ibach Park
- Jurgens Park
- Lafky Park
- Little Wood Rose Nature Park
- Saarinen Wayside Park
- Stoneridge Park
- Sweek Pond
- Tualatin Commons Park
- Tualatin Commons
- Tualatin Community Park
- Byrom Elementary School Trail
- Chieftain/Dakota Greenway
- Hedges Creek Greenway
- Hedges Creek Wetland
- Hi-West Greenway
- Indian Meadows Greenway
- Nyberg Creek Greenway
- Saum Creek Greenway
- Shaniko Greenway
- Tualatin High School Trail
- Tualatin River Kayak and Canoe Access
- Tualatin River Greenway | E. Brown's Ferry
- Tualatin River Greenway | Nyberg Street
- Tualatin River Greenway | Pony Ridge
- Tualatin River Greenway | River Ridge
- Tualatin River Greenway | W. Brown's Ferry
- Victoria Woods Natural Area

Buildings

The evaluation conducted in the summer of 2017 included the following buildings:

- Brown's Ferry Community Center
- City Offices
- Community Services Admin Offices
- Juanita Pohl Center
- Lafky House
- Operations Admin Office
- Police Services
- Seneca Building (south end access)
- Tualatin Heritage Center
- Tualatin Public Library
- Van Raden Community Center
- Walnut House & Shed

Parks, Trails, Greenways, and Buildings Barrier Removal Summary

The removal of accessibility barriers is guided by a prioritization process referenced in title II regulations. The principle is to ensure that basic access is provided, access to activities is provided, amenities are accessible, and alternatives to architectural modifications are allowed when appropriate. The prioritization process includes the following programmatic categories:

- **Category 1:** The highest category is placed on those barrier removal items that provide accessibility at the main entrance of a facility or improve a path of travel to the portion of the facility where program activities take place (e.g., parking, walks, ramps, stairs, doors, etc.).
- **Category 2:** A second category is placed on those barrier removal items that improve or enhance access to program use areas (e.g., transaction counters, conference rooms, public offices, restrooms, etc.).
- **Category 3:** A third category is placed on those barrier removal items that improve access to amenities serving program areas (e.g., drinking fountains, telephones, site furnishings, vending machines).
- **Category 4:** A fourth category identifies areas or features not required to be modified for accessibility (no public programs located in this area, or duplicate features).

This categorization was applied to each identified barrier at Tualatin parks, trails & greenways, and buildings. Some barriers will require further evaluation by City staff for programmatic solutions. These barriers were assigned two category values (i.e. “2 or 4”), indicating the barrier will need to be assigned one of the values but not both. This information has been incorporated into the Excel barrier analysis tool the City has for tracking the implementation of the Plan.

Priorities for Barrier Removal at Facilities

To develop a phasing schedule for the removal of barriers at the City's facilities, a prioritization meeting was conducted with City staff on December 13th, 2017. All facilities in which the City provides programs, activities, and services were reviewed based on the following criteria. Each of these criteria is deemed by the City to have importance with no single criteria having priority over another:

- **Level of use by the public:** Facilities that have a high level of public use can be assigned a higher priority.
- **Program uniqueness:** Some programs are unique to a building, facility, or park and cannot occur at another location. Seasonal availability and programs that emphasize health and wellness can be assigned a higher priority.
- **Geographic distribution:** Selecting a range of facilities that are distributed throughout the City, and considering the proximity of these facilities to public transportation helps provide maximum accessibility for all residents.
- **Critical nature of the service provided:** Facilities that provide services related to accessibility, health, safety, and the administration of essential City services such as permitting and licensing can be assigned a higher priority.
- **Identified complaints:** Facilities that have a history of citizen complaints related to accessibility can be assigned a higher priority.

As part of the prioritization process City staff reviewed the facilities and the programs, activities, and services provided to the public at each location. Each facility was evaluated using the criteria listed above. The prioritization of the facilities resulted in a phasing schedule for the removal of barriers, contained in the following pages.

Phasing Schedule for Facilities

Barriers identified at the City's facilities will be removed systematically based on established program priorities. It is the intent of the City to address and remove barriers to accessibility at City facilities based on the need for programmatic access, degree of complexity, and overall cost.

The City of Tualatin reserves the right to modify barrier removal priorities to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, changes in City programs, and funding opportunities and constraints. It is the goal of this Transition Plan to provide access to the programs, activities, and services provided by the City. Interim measures will be explored and implemented to provide programmatic access to the public pending the implementation of physical barrier removal projects.

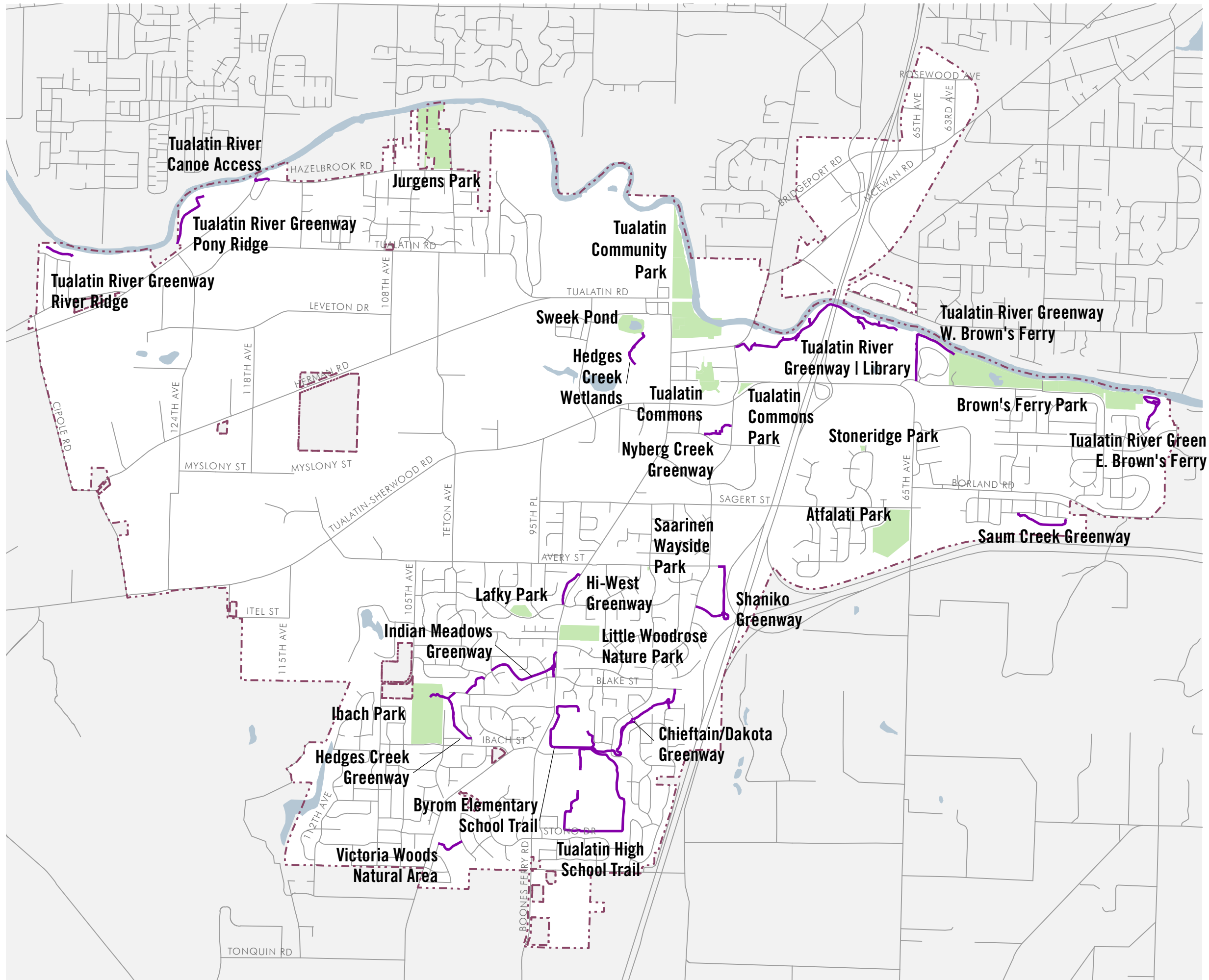
The barrier removal strategy for the next 15 years incorporates flexibility in the process and allows the City to respond to new opportunities as they arise. It is summarized in the tables on the following pages. It is the City's intent to review all barriers during the first three years of Plan implementation and address those barriers that can be resolved through programmatic modifications and maintenance tasks. The City will then revise the schedule for removal of the remaining barriers. It is also assumed that as facility barriers will be evaluated in greater detail as part of future projects and complaints, a percentage of the barriers will fall within the safe harbor provisions, explained later in this section. The safe harbor status will help to reduce the inventory of work to be done. The City will then revise and update the inventory of barriers and, when applicable, revise the Transition Plan schedule for the removal of remaining barriers on a regular basis.

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City of Tualatin ADA
Self-Evaluation & Transition Plan

Evaluated Parks, Trails & Greenways



Trails/Greenways

Context

City Boundary

Streets

Water Feature

Park

3.22.2018

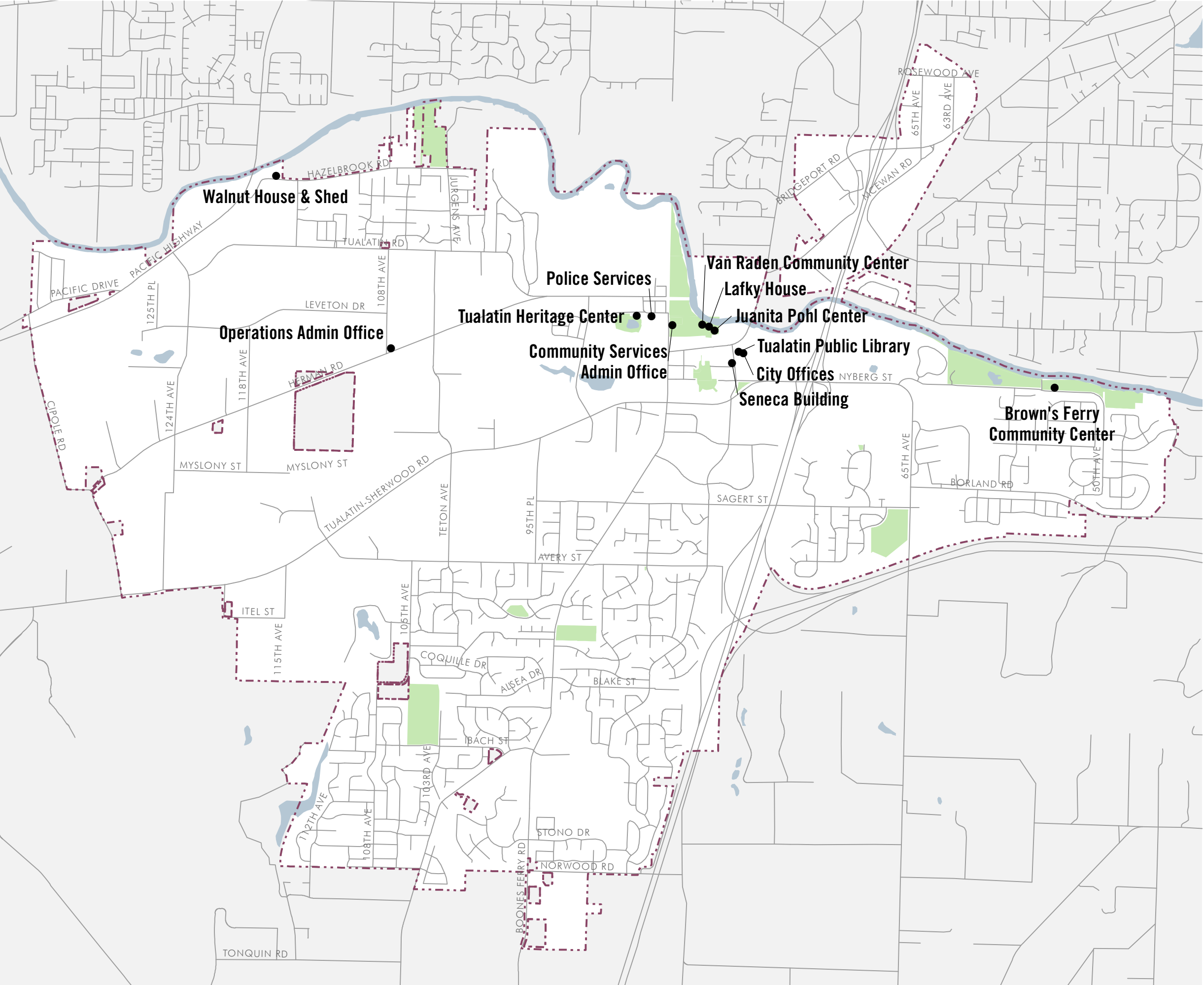


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Evaluated Buildings



● Buildings

- Context**
- City Boundary
 - Streets
 - Water Feature
 - Park



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Table 2. City Parks, Trails, and Greenways Transition Plan Phasing Schedule⁵⁵

Location	Years ⁵⁶ 1-3	Years 1-5	Years 1-10	Years 1-15
Atfalati Park	X	X		
Brown's Ferry Park	X	X		
Ibach Park	X		X	
Jurgens Park	X		X	
Lafky Park	X		X	
Little Wood Rose Nature Park	X	X		
Saarinen Wayside Park	X			X
Stoneridge Park	X		X	
Sweek Pond	X			X
Tualatin Commons Park	X			X
Tualatin Commons	X	X		
Tualatin Community Park	X	X		
Byrom Elementary School Trail*	X			X
Chieftain/Dakota Greenway	X	X		
Hedges Creek Greenway	X			X
Hedges Creek Wetland	X		X	
Hi-West Greenway	X		X	
Indian Meadows Greenway	X		X	
Nyberg Creek Greenway	X		X	
Saum Creek Greenway	X		X	
Shaniko Greenway	X		X	
Tualatin High School Trail*	X	X		
Tualatin River Kayak and Canoe Access	X	X		
Tualatin River Greenway E. Brown's Ferry	X			X
Tualatin River Greenway Nyberg Street	X	X		
Tualatin River Greenway Pony Ridge	X		X	
Tualatin River Greenway River Ridge	X			X
Tualatin River Greenway W. Brown's Ferry	X	X		
Victoria Woods Natural Area	X		X	

*These sites are the responsibility of the school district to maintain.

⁵⁵ The most current information on the status of barrier identification and mitigation is contained in the City's ADA Barrier Analysis Tool maintained by the City's ADA Title II Coordinator.

⁵⁶ It is the City's intent to review all barriers during the first three years of Plan implementation and address those barriers that can be resolved through programmatic modifications and maintenance tasks.

Table 3. City Buildings Transition Plan Phasing Schedule⁵⁷

Location	Years ⁵⁸ 1-3	Years 1-5	Years 1-10	Years 1-15
Brown's Ferry Community Center	X		X	
City Offices	X	X		
Community Services Admin Offices	X		X	
Juanita Pohl Center	X	X		
Lafky House	X			X
Operations Admin Office	X		X	
Police Services	X		X	
Seneca Building (south end access)	X			X
Tualatin Heritage Center	X		X	
Tualatin Public Library	X	X		
Van Raden Community Center	X	X		
Walnut House & Shed	X			X

Table 4. City-Owned Parking Transition Plan Phasing Schedule

Location	Years 1-3	Years 1-5	Years 1-10	Years 1-15
Blue Lot	X	X		
Green Lot	X	X		
Red Lot	X		X	
White Lot	X	X		
Yellow Lot	X			X

⁵⁷ The most current information on the status of barrier identification and mitigation is contained in the City's ADA Barrier Analysis Tool maintained by the City's ADA Title II Coordinator.

⁵⁸ It is the City's intent to review all barriers during the first three years of Plan implementation and address those barriers that can be resolved through programmatic modifications and maintenance tasks.

3.4 Public Right-of-Way

The ADA addresses accessible public right-of-way where sidewalks are the responsibility of the City of Tualatin. The ADA does not mandate the installation of sidewalks, but does require a schedule for providing curb ramps or other sloped areas where pedestrian walkways cross curbs at streets, roads, or intersections.

In 2002, the United States Court of Appeals for the Ninth Circuit, whose jurisdiction includes Oregon, held for the first time that sidewalks constitute a service, program, or activity of a city, and sidewalks are therefore subject to the ADA's program accessibility regulations.⁵⁹ Before this decision, the law was unclear about whether municipalities' transition plans should address barrier removal from sidewalks. When originally written, the ADA specifically addressed curb ramps; subsequently the Courts have added sidewalks.

Under title II of the ADA, a City is not necessarily required to construct curb ramps at every point where a sidewalk intersects a curb. Traffic safety considerations may make construction of ramps at some locations undesirable. Alternative routes to buildings that make use of existing curb ramps may be acceptable under the concept of program accessibility where individuals with disabilities need only travel a marginally longer route. In addition, the undue financial or administrative burden limitation recognized by title II of the ADA may limit the number of curb ramps that the City is required to provide.

Public Right-of-Way Evaluations

The evaluations of the public right-of-way facilities included curb ramps, sidewalks, and pedestrian signals. The facilities were evaluated using the 1991 ADAAG, 2010 ADA, 2011 PROWAG, and 2009 MUTCD accessibility standards.

The site evaluations were completed using a consultant team equipped with measuring devices, City facility data, and evaluation checklists. The data collected was inventoried using point GIS data with the associated barrier information included within the data tables.

This section describes each of the three types of facilities evaluated and summarizes the barrier findings as follows:

- A matrix showing Geospatial Proximity Priorities by category;
- Descriptions of the barrier categorizations;
- Maps showing the locations of identified barriers; and
- Summary tables of the identified barriers.

⁵⁹ Barden v. City of Sacramento, 292 F.3d 1073 (9th Cir. 2002)

Public Right-of-Way Prioritization

Draft prioritization criteria for assigning the barrier removal phasing schedule were developed using title II regulation § 35.150(d)(2).

If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

The draft prioritization criteria include the following:

- Location of citizen complaint/request (ADA title II Program Access);
- Locations serving government offices and public facilities;
- Locations serving transportation;
- Locations serving commercial districts and employers; and
- Locations serving other areas.

Matrices on the following pages illustrate the prioritization criteria for curb ramp, sidewalk, and pedestrian signal barrier removal projects in the City's public right-of-way. Each facility evaluated was assigned a rank based on its barrier priority and category. The priority assigned is based on the information described above and the barrier category is based on the condition of the facility. The descriptions for each category are provided after each matrix.

The highest ranked facilities are shaded in purple, medium ranked in yellow, and lower ranked in green. The facilities with no assigned rank have no access deficiencies identified and are not shaded a color. The columns in the matrix indicate the assigned priority and are in order of importance from left to right, with the left column having the highest importance. The rows indicate the category of condition assigned to each facility during the evaluation process, with the top row having the highest importance. Note that categories are hierarchical: higher level categories (i.e. one and two) may include lower level category conditions (i.e. three and four), but lower level categories cannot include higher level category conditions.

Each matrix is followed by a map locating each barrier identified and a table summarizing removal actions and transition plan phasing schedule by barrier priority.

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<i>Curb Ramps</i>		ADA 35.150(d) Geospatial Proximity Priorities*				
		A	B	C	D	E
Priorities (Category)	Priority Description	Location of Citizen Complaint / Request (ADA Title II Program Access)	Location Serving Government Offices & Public Facilities	Location Serving Transportation	Location Serving Commercial Districts, Employers	Location Serving Other Areas
1	See Category 1 Description	A1 High Priority -----	B1	C1	D1	E1
2	See Category 2 Description	A2	B2	C2	D2	E2
3	See Category 3 Description	A3	B3 Medium Priority -----	C3	D3	E3
4	See Category 4 Description	A4	B4 Low Priority -----	C4	D4	E4
5	No deficiencies identified	A5	B5	C5	D5	E5

*The priorities listed under columns B, C, D, and E are specified under title II 28 CFR § 35.150 (d)

Curb Ramp Barrier Descriptions

Category 1:

- The curb ramp is built-up in the travel lane.
- The curb ramp is significantly damaged or deteriorated and is unsafe.
- There is a sidewalk with no curb ramp access or there is an obstruction to accessing the curb ramp.
- The curb ramp has no detectable warning.
- The curb ramp has no receiving ramp.

Category 2:

- Curb ramp has top turning space that does not meet any existing standards.
- The curb ramp does not have a firm, stable, and slip resistance surface and/or has openings greater than a half-inch or parallel with the direction of travel.
- Width of ramp is less than 36 inches.
- Top turning space is less than three-by-three feet and the slope exceeds two percent.
- The curb ramp is not located within marked crossings (when present).
- A three-by-four-foot clear space at the bottom of the ramp outside of the travel lane is not provided.

Category 3:

- Parallel curb ramp with constrained top turning space on two or more sides is less than four-by-five feet.
- Top turning space is less than four-by-four feet.
- A four-by-four-foot clear space at the bottom of the ramp outside of the travel lane is not provided.
- Running slope of ramp exceeds 8.33 percent or five percent for a blended transition.
- Cross slope of ramp exceeds two percent at crossing with yield or stop control.
- Counter slope of the curb ramp is greater than five percent.
- Grade break is not perpendicular to ramp.
- The curb ramp has a lip or vertical discontinuity greater than a half-inch.

Category 4:

- Slope of ramp flared sides (if applicable) exceeds 10 percent when part of the circulation path.
- Diagonal curb ramp design without existing physical constraints.
- The curb ramp has a lip or vertical discontinuity less than a half-inch.
- The detectable warning surface does not meet ADAAG or PROWAG standards.

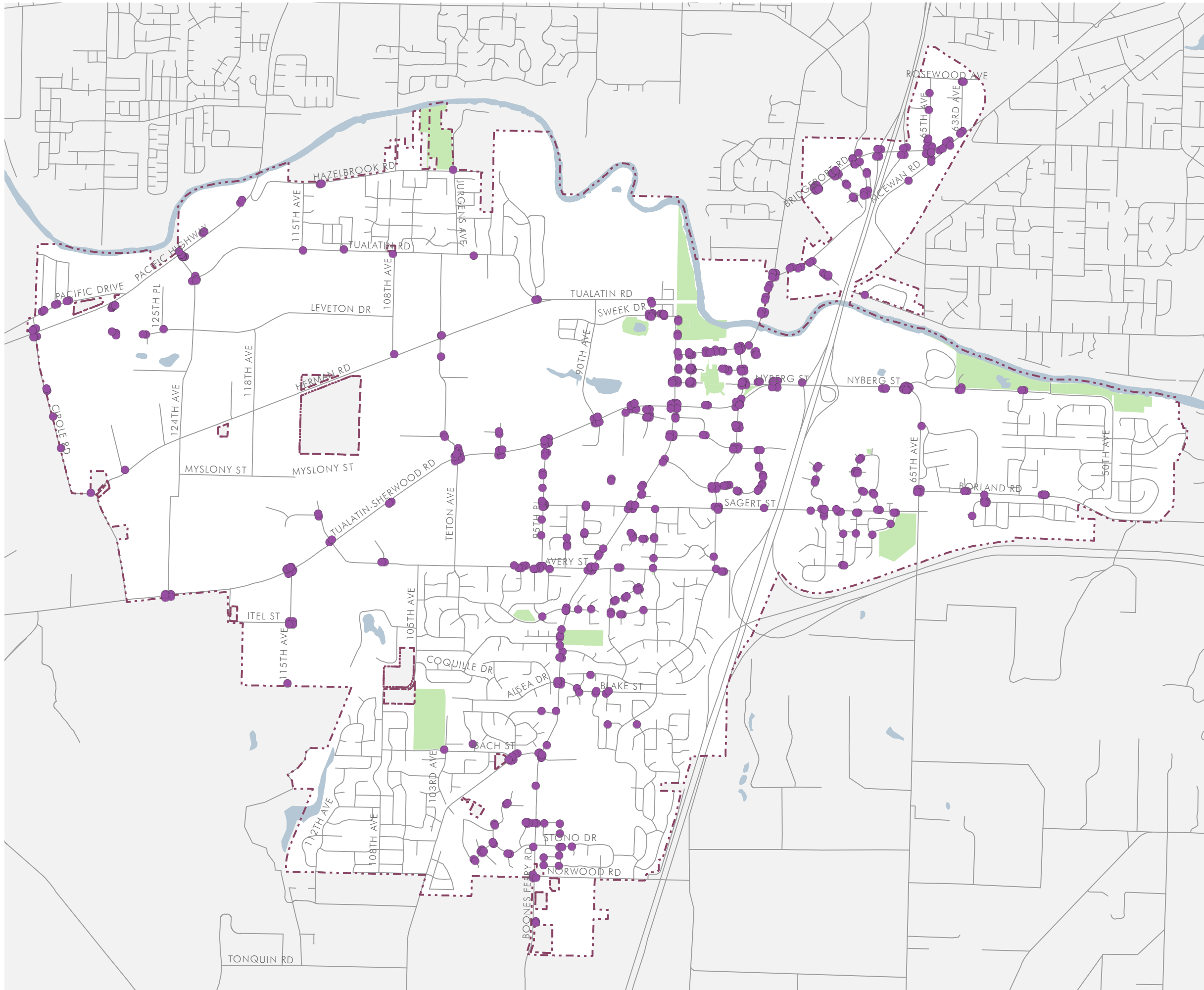
Category 5:

- No deficiencies identified.



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Curb Ramp Barrier Removal Projects High Priority



Barrier Removal Rank

● High Priority

Context

City Boundary

Streets

Water Feature

Park

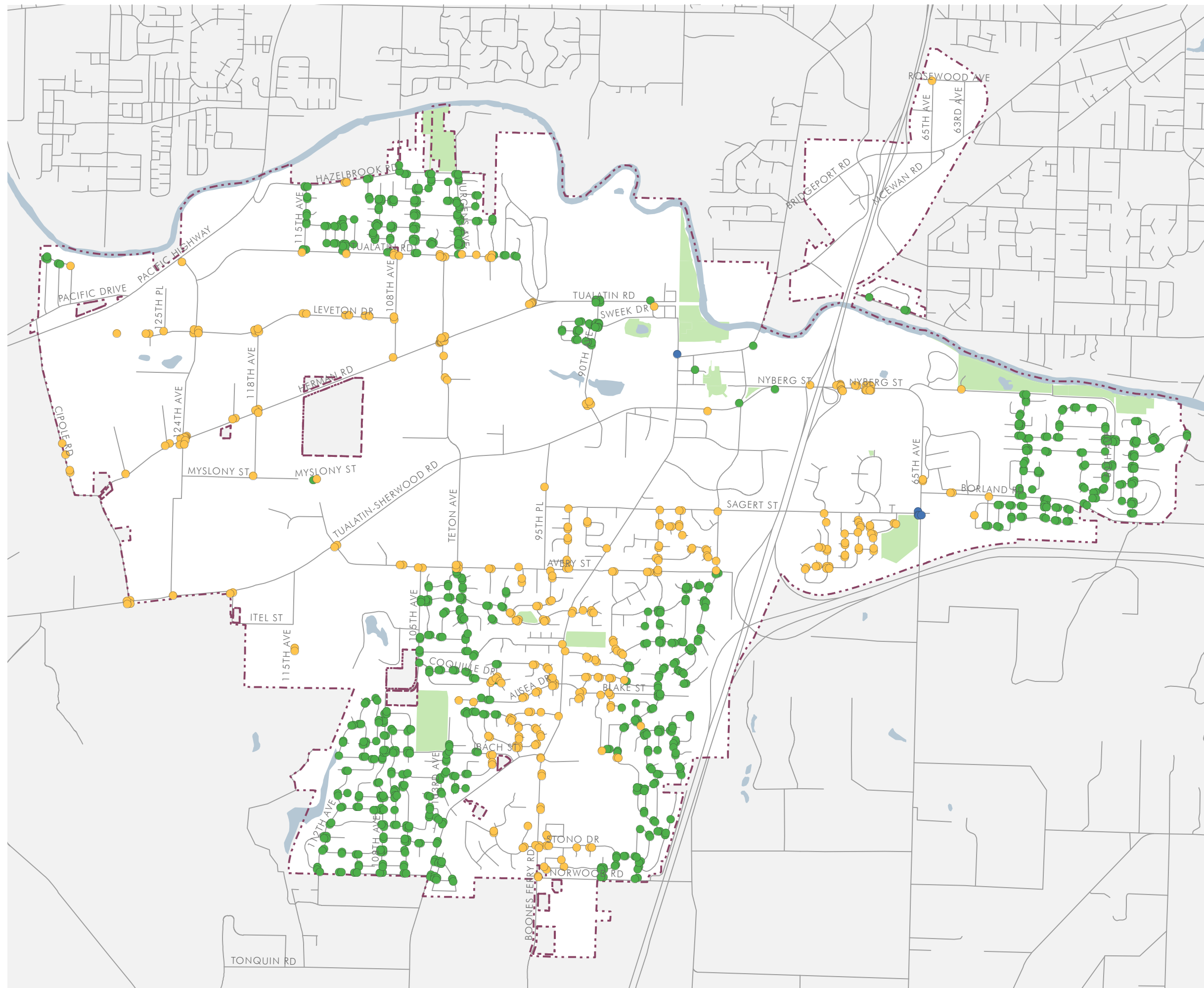
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Curb Ramp Barrier Removal Projects Medium & Low Priority



Barrier Removal Rank

- Medium Priority
- Low Priority
- Under Construction

Context

- 
- City Boundary
 - Streets
 - Water Feature
 - Park

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Table 5. Curb Ramps Barrier Summary & Transition Plan Phasing Schedule⁶⁰

Category	Priority	Total Ramps	Percent Total	Schedule Year
High Priority				
1	B1	17	1.0%	1-5
1	C1	118	7.2%	1-5
1	D1	16	1.0%	1-5
2	B2	39	2.4%	1-5
2	C2	380	23.1%	1-5
Subtotal		570	34.6%	-
Medium Priority				
2	D2	82	5.0%	1-10
3	B3	24	1.5%	1-10
3	C3	217	13.2%	1-10
3	D3	19	1.2%	1-10
Subtotal		342	20.8%	-
Low Priority				
1	E1	57	3.5%	1-15
2	E2	211	12.8%	1-15
3	E3	456	27.7%	1-15
4	C4	4	0.2%	1-15
4	D4	1	0.1%	1-15
Subtotal		729	44.3%	-
Under Construction				
5	B5	2	0.1%	n/a
5	C5	3	0.2%	n/a
Subtotal		5	0.3%	-
Total for All Projects		1,646	100%	-

⁶⁰ The most current information on the status of barrier identification and mitigation is contained in the City's ADA GIS data for the right-of-way maintained by Public Works and the City's ADA Title II Coordinator.

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Sidewalks

		ADA 35.150(d) Geospatial Proximity Priorities*				
		A	B	D	E	F
Priorities (Category)	Priority Description	Location of Citizen Complaint / Request (ADA Title II Program Access)	Location Serving Government Offices & Public Facilities	Location Serving Transportation	Location Serving Commercial Districts, Employers	Location Serving Other Areas
1	See Category 1 Description	A1 High Priority -----	B1	C1	D1	E1
2	See Category 2 Description	A2	B2	C2	D2	E2
3	See Category 3 Description	A3	B3 Medium Priority -----	C3	D3	E3
4	See Category 4 Description	A4	B4 Low Priority -----	C4	D4	E4
5	No deficiencies identified	A5	B5	C5	D5	E5

*The priorities listed under columns B, C, D, and E are specified under title II 28 CFR § 35.150 (d)

Sidewalk Barrier Descriptions

Category 1:

- The sidewalk width is less than 36 inches, including fixed obstacles reducing the width of the pedestrian access route.

Category 2:

- The sidewalk width is less than 48 inches, including fixed obstacles reducing the width of the pedestrian access route.
- Running slope of sidewalk exceeds grade of road and is greater than five percent.

Category 3:

- The sidewalk has cross slopes that exceed two percent.
- The sidewalk cross slope at driveway entries exceeds two percent.

Category 4:

- The sidewalk has overhanging or protruding objects along its route.
- The sidewalk has vertical changes of level that exceed a quarter-inch or up to a half-inch with a bevel.
- The sidewalk has horizontal openings greater than a half-inch wide and/or openings parallel to the path of travel.
- The sidewalk surface is not firm and slip resistant.

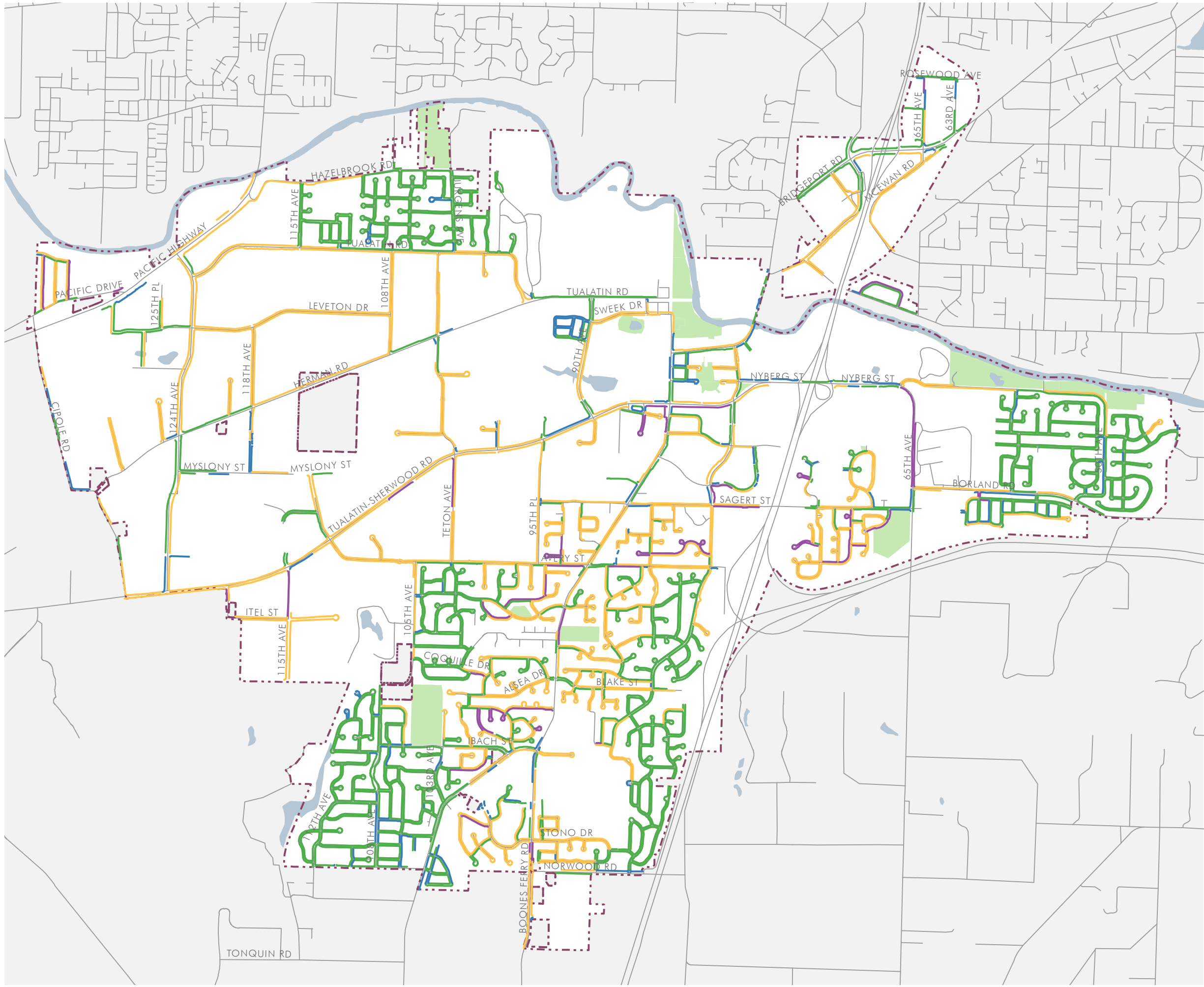
Category 5:

- No deficiencies identified.



City of Tualatin ADA
Self-Evaluation & Transition Plan

Sidewalk Barrier Removal Projects



Barrier Removal Rank

- High Priority
- Medium Priority
- Low Priority
- No Deficiencies Identified/
Under Construction

Context

- City Boundary
- Streets
- Water Feature
- Park

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Table 6. Sidewalks Barrier Summary & Transition Plan Phasing Schedule⁶¹

Category	Priority	Linear Miles	Percent Total	Schedule Year
High Priority				
2	B2	0.4	0.3%	1-5
2	C2	6.3	4.3%	1-5
Subtotal		6.7	4.6%	-
Medium Priority				
2	D2	0.1	0.1%	1-10
3	B3	8.4	5.8%	1-10
3	C3	43.3	29.9%	1-10
3	D3	8.5	5.9%	1-10
Subtotal		60.3	41.6%	-
Low Priority				
2	E2	3.1	2.1%	1-15
3	E3	39.6	27.4%	1-15
4	B4	2.4	1.7%	1-15
4	C4	12.8	8.8%	1-15
4	D4	1.8	1.3%	1-15
4	E4	9.4	6.5%	1-15
Subtotal		69.1	47.7%	-
No Deficiencies				
5	B5	0.5	0.3%	n/a
5	C5	3.6	2.5%	n/a
5	D5	0.9	0.6%	n/a
5	E5	3.7	2.6%	n/a
Subtotal		8.6	6.0%	-
Under Construction				
UC	B6	0.1	0.1%	n/a
UC	C6	0.1	0.0%	n/a
Subtotal		0.2	0.1%	-
Total for All Projects		144.8	100%	-

⁶¹ The most current information on the status of barrier identification and mitigation is contained in the City's ADA GIS data for the right-of-way maintained by Public Works and the City's ADA Title II Coordinator.

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Pedestrian Signals

		ADA 35.150(d) Geospatial Proximity Priorities*				
		A	B	C	D	E
Priorities (Category)	Priority Description	Location of Citizen Complaint / Request (ADA Title II Program Access)	Location Serving Government Offices & Public Facilities	Location Serving Transportation	Location Serving Commercial Districts, Employers	Location Serving Other Areas
1	See Category 1 Description	A1 High Priority -----	B1	C1	D1	E1
2	See Category 2 Description	A2	B2 Medium Priority -----	C2	D2	E2
3	See Category 3 Description	A3	B3	C3	D3 Low Priority -----	E3
4	No deficiencies identified	A4	B4	C4	D4	E4

*The priorities listed under columns B, C, D, and E are specified under title II 28 CFR § 35.150 (d)

Pedestrian Signal Barrier Descriptions

Category 1:

- Accessible pedestrian signal is not provided.
- Pedestrian crossing time is insufficient.

Category 2:

- Level clear space at push button not provided.
- Reach to push button from clear space is obstructed.
- Operating force of pushbutton exceeds five pounds of force.
- The pushbutton does not have a sign adjacent to or integral with the pushbutton.
- Pushbutton sign does not clearly indicate which crosswalk signal is actuated.
- Pushbutton pilot light (if applicable) does not activate.
- A locator tone is not provided.
- A tactile arrow is not provided.
- Pushbutton locator tone activates at incorrect time.
- Pushbutton locator tone duration and intensity needs adjustment.
- Audible features of accessible pedestrian signal needs adjustment.
- Speech walk message of accessible pedestrian signal needs adjustment.
- Extended pushbutton feature needs adjustment.

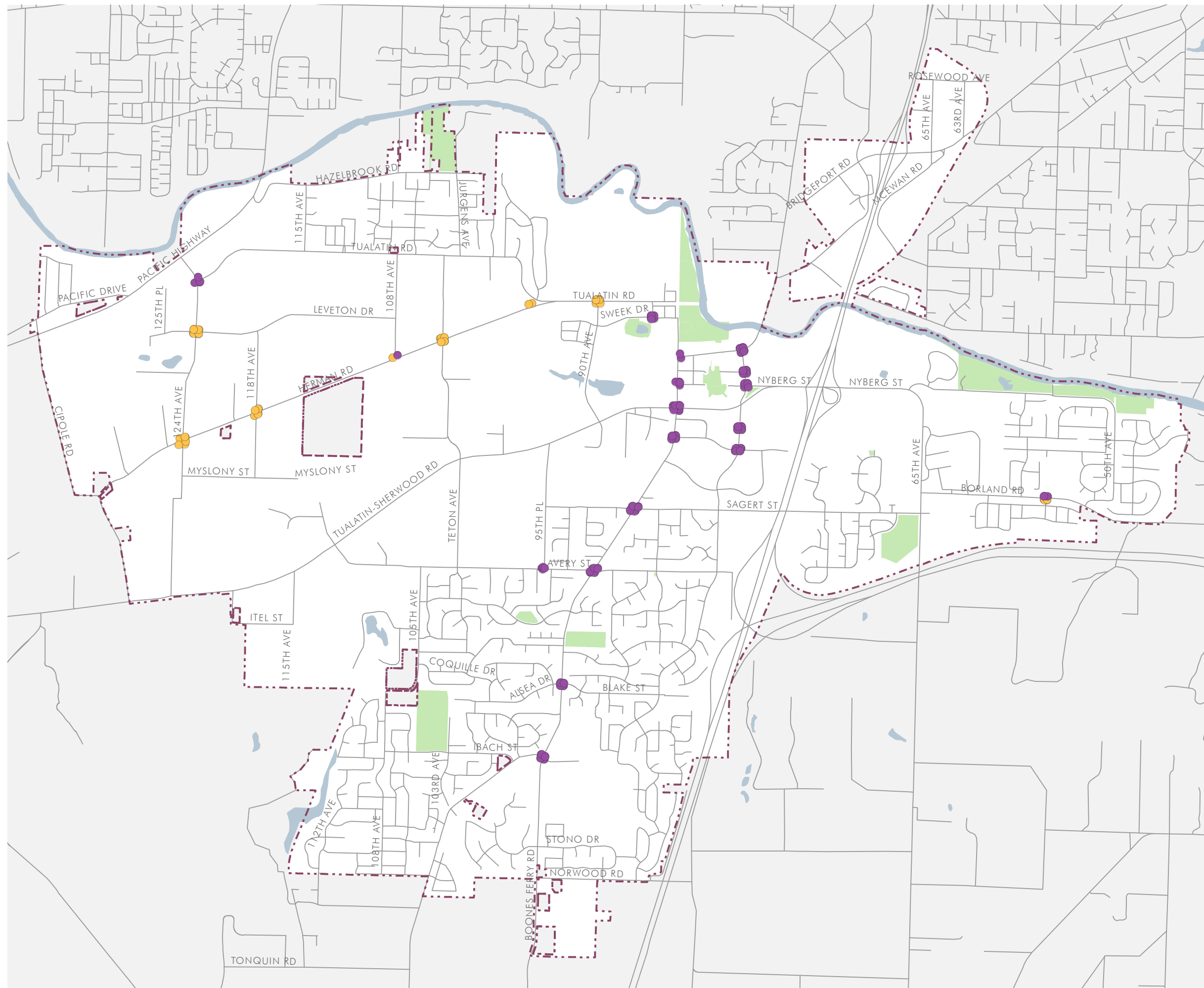
Category 3:

- Pushbutton is located more than 10 feet from curb, shoulder, or pavement.
- Pushbutton is farther than five feet from the crosswalk line farthest from the intersection (when applicable).
- Pushbutton height is not within 42 to 48 inches above the ground.
- Pushbutton and arrow are not parallel with the direction of travel.
- Distance between two pushbuttons on the same corner is less than 10 feet.

Category 4:

- No deficiencies identified.

Pedestrian Signal Barrier Removal Projects



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0 0.25 0.5 Miles

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Table 7. Pedestrian Signals Barrier Summary & Transition Plan Phasing Schedule⁶²

Category	Priority	Total Signals	Percent Total	Schedule Year
High Priority				
1	B1	23	15.1%	1-5
1	C1	88	57.9%	1-10
Subtotal		111	73.0%	-
Medium Priority				
1	D1	31	20.4%	1-15
1	E1	10	6.6%	1-15
Subtotal		41	27.0%	-
Total for All Projects		152	100%	-

⁶² The most current information on the status of barrier identification and mitigation is contained in the City's ADA GIS data for the right-of-way maintained by Public Works and the City's ADA Title II Coordinator.

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Strategies for Funding Barrier Removal in the Right-of-Way

Potential strategies for funding the removal of access barriers in the public right-of-way include:

- Projects for new construction;
- Projects for roadway alterations;
- Maintenance and repair projects and programs;
- Dedication of a fund for ADA barrier removal;
- Require private developers to remove access barriers when development affects facilities within the right-of-way; and
- Actively seek out and apply for grant funding specific to removal of access barriers when available.

The City currently has in place a pavement management program that schedules roadway rehabilitation and maintenance over a rolling five-year schedule. The City plans to review public right-of-way barriers during the implementation of this Plan, and address those barriers that can be resolved as part of the on-going pavement maintenance and rehabilitation program. As part of the review, the City will revise the Transition Plan schedule for the removal of barriers. The Transition Plan schedule will also be updated as projects for new construction and roadway alterations arise.

Roadway Alterations and Maintenance: Triggers for Barrier Removals

The DOJ, in coordination with the U.S. Department of Transportation, specifies that public agencies are required to provide curb ramps or upgrade curb ramps whenever roadways are altered. An alteration is a change that affects or could affect the usability of all or part of a building or facility⁶³. Alterations of streets, roads, or highways include activities such as reconstruction, rehabilitation, resurfacing, widening, and projects of similar scale and effect⁶⁴. Maintenance activities on streets, roads, or highways, such as filling potholes, are not alterations⁶⁵ and do not trigger barrier removal. The list on the following page distinguishes between roadway alterations versus maintenance activities.

⁶³ Title II Regulation § 35.151(b)(1)

⁶⁴ 2010 ADA Standards, 106.5

⁶⁵ July 8, 2013 Department of Justice/Department of

Transportation Joint Technical Assistance on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing.

ALTERATION

- Addition of new layer of asphalt
- Cape seals
- In-place asphalt recycling
- Microsurfacing and thin-lift overlay
- Mill and fill / mill and overlay
- New construction
- Open-graded surface course
- Rehabilitation and reconstruction
- Resurfacing of a crosswalk

MAINTENANCE

- Chip seals
- Crack filling and sealing
- Diamond grinding
- Dowel bar retrofit
- Fog seals
- Joint crack seals
- Joint repairs
- Pavement patching
- Painting or striping
- Scrub sealing
- Slurry seals
- Spot high-friction treatments
- Surface sealing

Maximum Extent Feasible in the Public Right-of-Way

In an alteration or new construction project, the City must incorporate the ADA Accessibility standards to the maximum extent feasible⁶⁶. As part of the Plan's implementation the City Engineer should document all design exceptions:

When pre-ADA streets or sidewalks are altered, there may be space limitations that restrict how much they can be altered to install accessible curb ramps. In these cases, the curb ramps installed must meet the accessibility requirements of the ADA to the maximum extent feasible. Scoping requirements in the ADA Standards establish limitations for the running slope of the ramp run of curb ramps installed during alterations to pre-ADA streets and walkways⁶⁷.

The Civil Rights Division recognizes that there will be very rare instances when it will be technically infeasible for a curb ramp installed during alterations to pre-ADA roadways and walkways to be constructed in full and strict compliance with the requirements of ADA Standards § 4.1.6(3)(a) and § 4.7 because of physical or site constraints. In such circumstances, state and local governments must install curb ramps that provide accessibility to the maximum extent feasible⁶⁸. Before reaching a conclusion about technical infeasibility, state and local governments need to consider the extent to which physical or site constraints can be addressed by alternative curb ramp designs. The burden of proving technical infeasibility lies with the state or local government that constructed it.

When highways, streets, and roads are built or altered post-ADA, they must have curb ramps at certain locations. Curb ramps must be located wherever there are curbs or other barriers to entry from a pedestrian walkway or sidewalk, including any intersection where it is legal for a pedestrian to cross the street, whether or not there

⁶⁶ Title II Regulations 28 CFR §35.151(b)

⁶⁷ ADA Standards § 4.1.6(3)(a).

⁶⁸ ADA Standards § 4.1.6(1)(j).

is any designated crosswalk. Curb ramps must also be located wherever there are curbs or other barriers to entry at any designated pedestrian crosswalks that are located mid-block. Likewise, when sidewalks or walkways are built or altered post-ADA, they must include curb ramps or other sloped areas wherever they intersect with highways, streets, or roads and pedestrians may legally cross the vehicular way as well as at public transportation stops.

By contrast, for pre-ADA highways, streets, roads, and sidewalks that have not been altered, state and local governments may choose to construct curb ramps at every point where a pedestrian walkway intersects a curb. However, they are not necessarily required to do so. Under a more flexible standard called "program access," alternative routes to buildings may be acceptable where people with disabilities must travel only a marginally longer route than the general public⁶⁹.

3.5 Addressing Identified Barriers at Facilities and Within the Right-of-Way

The following content is presented as a resource for addressing identified barriers.

Program Accessibility

A public entity must ensure that individuals with disabilities are not excluded from services, programs, and activities because existing buildings are inaccessible. A State or local government's programs, when viewed in their entirety, must be readily accessible to and usable by individuals with disabilities. This standard, known as "program accessibility," applies to facilities of a public entity that existed on January 26, 1992. Public entities do not necessarily have to make each of their existing facilities accessible. They may provide program accessibility by a number of methods including alteration of existing facilities, acquisition or construction of additional facilities, relocation of a service or program to an accessible facility, or provision of services at alternate accessible sites.

Undue Burden

The City is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of its program or activity, would create a hazardous condition resulting in a direct threat to the participant or others, or would represent an undue financial and administrative burden.

A determination of undue financial or administrative burden can only be made by the head of a department or his or her designee and must be accompanied by a written statement of the reasons for reaching that conclusion. The determination that undue burdens would result must be based on all resources available for use by the City. If an action would result in such an alteration or such burdens, the City must take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with disabilities receive the benefits and services of the program or activity.

⁶⁹ <https://www.ada.gov/pcatoolkit/chap6toolkit.htm>

Safe Harbor Provisions⁷⁰

The 2010 Standards introduced the concept of *safe harbor*, a new exception that allows facilities built prior to March 15, 2012 that were in compliance with the 1991 ADA Standards to remain as-is until a public entity plans an alteration to the structural feature. For example, the 1991 Standards allowed 54 inches maximum for a side reach range, while the 2010 Standards lowered the side reach range to 48 inches maximum. Existing items, built prior to March 15, 2012, that are positioned at the 54-inch height would fall under the safe harbor provision until the time of planned alterations.⁷¹

This safe harbor is not a blanket exemption for facilities. If a public entity undertakes an alteration to a primary function area, only the required elements of a path of travel to that area that already comply with the 1991 Standards are subject to the safe harbor. If a public entity undertakes an alteration to a primary function area and the required elements of a path of travel to the altered area do not comply with the 1991 Standards, then the public entity must bring those elements into compliance with the 2010 Standards⁷².

The 2010 Standards also identify structural elements that do not fall under the safe harbor provision [28 CFR § 35.150(b)(2)(ii)]. The following elements are not eligible for element-by-element safe harbor because technical or scoping specifications for them were not addressed in the 1991 ADA but were added as supplemental requirements prior to 2010.

- Residential facilities dwelling units, sections 233 and 809.
- Amusement rides, sections 234 and 1002; 206.2.9; 216.12.
- Recreational boating facilities, sections 235 and 1003; 206.2.10.
- Exercise machines and equipment, sections 236 and 1004; 206.2.13.
- Fishing piers and platforms, sections 237 and 1005; 206.2.14.
- Golf facilities, sections 238 and 1006; 206.2.15.
- Miniature golf facilities, sections 239 and 1007; 206.2.16.
- Play areas, sections 240 and 1008; 206.2.17.
- Saunas and steam rooms, sections 241 and 612.
- Swimming pools, wading pools and spas as, sections 242 and 1009
- Shooting facilities with firing positions, sections 243 and 1010.
- Miscellaneous:
 - team or player seating (section 221.2.1.4),
 - accessible route to bowling lanes (section. 206.2.11),
 - accessible route in court sports facilities (section 206.2.12).

⁷⁰ U.S. Department of Justice. “State and Local Government Facilities: Guidance on the Revisions to 28 CF” in Guidance on the 2010 ADA Standards for Accessible Design available at <https://www.ada.gov/regs2010/2010ADASTandards/Guidance2010ADASTandards.htm#titleII>.

⁷¹ § 35.150 Existing facilities (b)(2)(i) Safe harbor. Elements that have not been altered in existing facilities on or after March 15, 2012, and that comply with the corresponding technical and scoping specifications for those elements in either the 1991 Standards or in the Uniform Federal Accessibility Standards

⁷² § 35.151(b)(4)(ii)(C) Path of travel--safe harbor

Pedestrian signals are not included in the 1991 or 2010 ADA Standards, but are addressed in the United States Access Boards 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way and the previous draft documents from 2005 and 2002. Unlike the safe harbor concept contained within the 2010 ADA Standards, the proposed guidelines do not require modifications to existing facilities.

All newly constructed facilities, altered portions of existing facilities, and elements added to existing facilities for pedestrian circulation and use located in the public right-of-way shall comply with the requirements in this document⁷³.

⁷³ United States Access Board, 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way, Scope R201.1

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4. ADA Policy and Complaint Procedure

If a public entity has 50 or more employees, it is required to designate at least one responsible employee to coordinate ADA compliance. The City of Tualatin has designated an ADA Coordinator for coordinating the efforts of the City to comply with title II, and for investigating any complaints that the City has violated title II. The Coordinator also is responsible for coordinating the efforts of the City to comply with all other applicable state and federal physical and program accessibility requirements.

4.1 Americans with Disabilities Act Policy and Notice

Notice Under the Americans with Disabilities Act

In accordance with Title II of the Americans with Disabilities Act of 1990, as amended, the City of Tualatin affirms its support of equal access for persons with disabilities. The City of Tualatin will not discriminate against individuals with disabilities in providing City services, programs, or activities and seeks to make its services, programs, and activities as accessible as reasonably possible.

Employment

The City of Tualatin 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 ADA.

Effective Communication

The City of Tualatin will, upon request, provide reasonable and appropriate aids and services to enable effective communication with individuals with disabilities and enable participation in the City's services, programs, and activities. Such aids and services include, but are not limited to qualified sign language interpreters, documents in alternative formats, and making information and communication accessible to people with speech, hearing, vision, and other impairments.

Modification to Policies and Procedures

The City will make all reasonable modifications to its policies and procedures to ensure persons with disabilities have equal opportunity to participate in all of the City's services, programs, and activities.

Requesting an Accommodation

ADA accommodation or modification is available upon request to participate in any City service, program, or activity, including City meetings or events. Accommodations include auxiliary aids or services, such as sign language interpretation. To request an accommodation, contact ADA Coordinator Debra Bullard by email at dbullard@tualatin.gov or by telephone at 503.691.3022, as soon as possible, but not less than 48 hours in advance. If contacted less than 48 hours in advance, the City will still make all reasonable efforts to make the accommodation.

The City of Tualatin will not place a surcharge on any person with a disability to cover the cost of providing the reasonable accommodation or modification.

Neither the ADA, nor Oregon state law requires the City to take an action that would fundamentally alter the nature of its services, programs, or activities or impose an undue financial or administrative burden.

4.2 ADA Grievance Procedure

Complaints About Accessibility

Any person who believes any City service, program, or activity is not accessible to disabled persons or that a person has been subjected to unequal treatment or discrimination in the receipt of a City service, program, or activity because of a person's disability may file a Complaint with the ADA Coordinator, Debra Bullard by email at dbullard@tualatin.gov or by telephone at 503.691.3022.

Informal Resolution

Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal meeting(s) between the ADA Coordinator, City staff, and other affected persons may be utilized for resolution. If informal resolution is not successful or the complainant wishes to proceed with a formal investigation, then the complainant may appeal the matter to the ADA Coordinator who will proceed with a formal investigation.

Formal Resolution

Upon receipt of an ADA complaint, the ADA Coordinator will review the complaint and determine whether the City has jurisdiction over the complaint, whether the complaint contains the necessary information, and whether further investigation is needed. Within seven (7) calendar days of receipt of the complaint, the ADA Coordinator will notify the complainant and respondent department of the determination of whether the City has jurisdiction and whether an investigation will be conducted.

The ADA Coordinator will provide the respondent department with the opportunity to respond in writing to the allegations in the complaint. The respondent department will have fourteen (14) calendar days from receipt of notification to furnish a response to the allegations in the complaint. Upon receipt of the written response from the respondent department, the ADA Coordinator will then determine if further investigation is warranted. If further investigation is warranted, the ADA Coordinator will conduct an investigation of the complaint, which may include, but is not limited to interviews with the complainant, departments, program recipients, or any other persons with information relevant to the complaint.

Within thirty (30) calendar days of the receipt of the complaint, the ADA Coordinator will cause to be prepared a written investigative report. The investigative report must include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition. The written report will be reviewed and finalized by the ADA Coordinator and sent to the City Manager to determine the appropriate action.

Once the investigative report has been completed and appropriate action determined, the complainant and respondent department will receive a copy of the investigative report, a statement of appropriate action, and notification of right to file a complaint with outside agencies.

Within seven (7) calendar days of the complainant and respondent department receiving a copy of the investigate report and determination of appropriate action, the ADA Coordinator will offer to meet with the complainant to discuss the determination of appropriate action along with the findings and conclusions in the investigative report. A complainant may seek reconsideration of the determination of appropriate action if the complainant produces evidence of new facts that were not previously considered and could not have been reasonably discovered during the investigation.

Complaints and resolutions of complaints will be kept by the City in accordance with Oregon Public Records laws, but for not less than two years.

Outside Agencies

If a complainant is not satisfied with the results of the investigation or the disposition of the complaint, the complainant may file a complaint directly with the United States Department of Justice or other appropriate state or federal agency. Use of the City's procedure is not a prerequisite to the pursuit of other remedies.

Resolution or Accommodation Not Precedent

The resolution of any specific accommodation request or complaint requires consideration and balancing of circumstances, such as: the specific nature of the disability; the nature of the access to services; programs, or facilities at issue and the essential eligibility requirements for participation; the health and safety of others; and the degree to which an accommodation would constitute a fundamental alteration to the program, service, or facility or cause an undue hardship to the City. Accordingly, the resolution by the City of any one accommodation request or complaint does not constitute a precedent upon which the City is bound, or upon which other parties may rely.

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5. Definitions

The following is a summary of many definitions found in the ADA. Please refer to the Americans with Disabilities Act for the full text of definitions and explanations.⁷⁴

Accessible. A site, building, facility or portion thereof is deemed accessible when it is approachable and usable by persons with disabilities in compliance with technical standards adopted by the relevant Administrative Authority.

Administrative Authority. A governmental agency that adopts or enforces regulations and guidelines for the design, construction, or alteration of buildings and facilities.

ADA Coordinator. The individual responsible for coordinating the efforts of the government entity to comply with title II and investigating any complaints that the entity has violated title II. Also known as *Disability Access Manager* or *Accessibility Manager*.

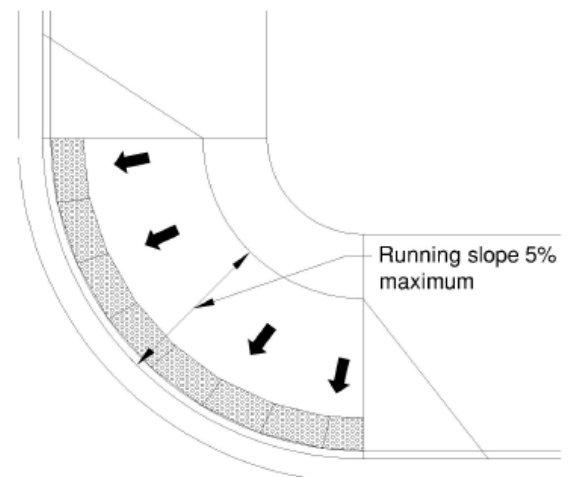
Alteration in the Public Right-of-Way. A change to an existing facility that affects or could affect pedestrian access, circulation, or use. Alterations include, but are not limited to, resurfacing, rehabilitation, reconstruction, historic restoration, or changes or rearrangement of structural parts or elements of a facility.

Auxiliary Aids and Services. Refers to ways to communicate with people who have communication disabilities such as blindness, vision loss, deafness, hearing loss, a combination of vision and hearing loss or speech or language disorders. The key to deciding what aid or service is needed to communicate effectively with people with disabilities and their companions is to consider the nature, length, complexity and context of the communication as well as the person's normal method(s) of communication. Auxiliary aids and services include the use of interpreters, notetakers, readers, assistive listening systems, captioning and TTYs or the provision of alternate formats such as braille, ASCII text, large print, recorded audio and electronic formats like CDs and DVDs.

Blended Transition. A raised pedestrian street crossings, depressed corners, or similar connections between the pedestrian access route at the level of the sidewalk and the level of the pedestrian street crossing that have a grade of 5 percent or less.

Clear Ground Space. The minimum unobstructed ground space required to accommodate a single, stationary wheelchair and occupant. Clear ground space provides a location for a wheelchair user to approach and make use of an element.

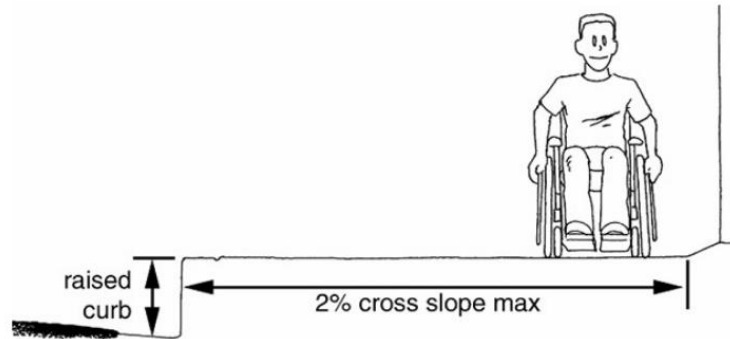
Complaint. A complaint is a claimed violation of the ADA.



Blended Transition Diagram: Source US Access Board

⁷⁴ Title II Regulations. 28 C.F.R. § 35.104 Definitions

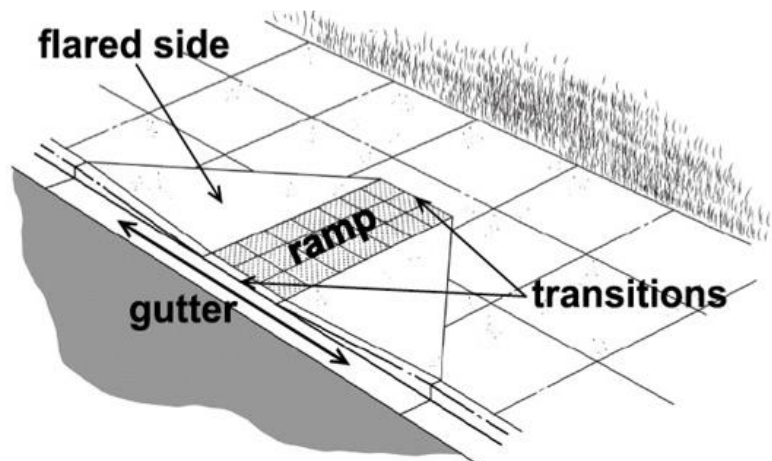
Cross Slope. The grade that is perpendicular to the direction of pedestrian travel. On a sidewalk, cross slope is measured perpendicular to the curb line or edge of the street or highway.



Cross Slope Diagram, Source: US Access Board

Curb Line. A line at the face of the curb that marks the transition between the curb and the gutter, street, or highway.

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.



Curb Ramp Diagram, Source: US Access Board

Disability. The term disability means, with respect to an individual:

- A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- A record of such impairment; or
- Being regarded as having a disability or such impairment.

Discrimination on the Basis of Disability.⁷⁵ 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 modifications to known physical or mental limitations of an otherwise qualified individual with a disability unless it can be shown that the modification 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.

Effective Communication. Communication with people who have vision, hearing, and/or speech disabilities that is equally effective as communication with people without disabilities.

Element. An architectural or mechanical component of a building, facility, space, site, or public right-of-way.

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

Fundamental Alteration. A modification that is so significant that it alters the essential nature of the goods, services, facilities, privileges, advantages, or accommodations offered. If a public entity can demonstrate that the modification would fundamentally alter the nature of its service, program, or activity, it is not required to make the modification. If a public accommodation (private entity) can demonstrate that a modification would fundamentally alter the nature of the goods, services, facilities, privileges, advantages, or accommodations it provides, it is not required to make the modification.

Grade. The degree of inclination of a surface. See Slope. In public right-of-way, grade is the slope parallel to the direction of pedestrian travel.

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

Having a Record of 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 impairment.

⁷⁵ Title II Regulations. 28 C.F.R. § 35.130 General prohibitions against discrimination

International Symbol of Accessibility (ISA). The ISA is recognized worldwide as a symbol identifying accessible elements and spaces. Standards issued under the ADA and ABA Standards reference and reproduce the ISA to ensure consistency in the designation of accessible elements and spaces. Uniform iconography promotes legibility, especially for people with low vision or cognitive disabilities.

Maintenance. Routine or periodic repair of all pedestrian facilities to restore them to the standards to which they were originally designed and built. Maintenance does not change the original purpose, intent, or design of public sidewalks, shared-use paths, curb ramps, crosswalks, pedestrian islands, or other public walkways.

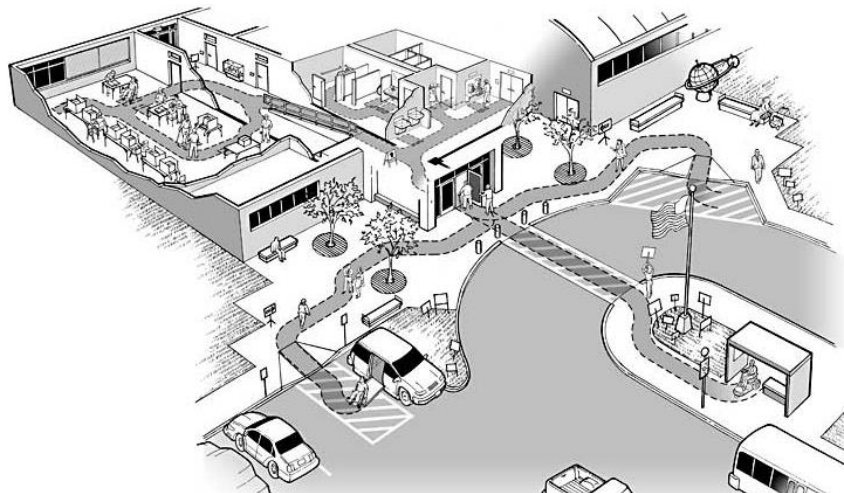
Operable Part. A component of an element used to insert or withdraw objects, or to activate, deactivate, or adjust the element. The technical requirements for operable parts apply to operable parts on accessible pedestrian signals and pedestrian pushbuttons and parking meters and parking pay stations that serve accessible parking spaces.

Other Power-Driven Mobility Device (OPDMD). Any mobility device powered by batteries, fuel, or other engines that is used by individuals with mobility disabilities for locomotion and designed to operate in areas without defined pedestrian routes.

Path of Travel. A path of travel is a continuous, unobstructed way of pedestrian passage by means of which a newly constructed or altered area may be approached, entered and exited and which connects an area with an exterior approach (including sidewalks, streets and parking areas), an entrance to the facility and other parts of a facility. An accessible path of travel may consist of walks and sidewalks, curb ramps and other interior or exterior pedestrian ramps; clear floor paths through lobbies, corridors, rooms and other improved areas; parking access aisles; elevators and lifts; or a combination of these elements. Within the context of alterations, path of travel also includes restrooms, telephones and drinking fountains serving the altered area.



International Symbol of Accessibility, Source: US Access Board



Path of Travel Figure, Source: ADA.gov

Pedestrian Access Route. A continuous and unobstructed path of travel provided for pedestrians with disabilities within or coinciding with a pedestrian circulation path in the public right-of-way.

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

Physical or Mental Impairments.⁷⁶ Physical or mental impairments may include, but are not limited to, vision, speech and hearing impairments; 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: transvestitism; 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.

Practicable. Capable of being put into practice or being accomplished within the context of the facility and within the limits of the applicable ABA *Conditions for Exception, 1019*. Feasible.

Primary Function. A major activity for which a facility is intended. Areas that contain a primary function include, but are not limited to, the dining area of a cafeteria, the meeting rooms in a conference center, as well as offices and other work areas in which the activities of the public entity using a facility are carried out.

Program Accessibility. A public entity's services, programs, or activities, when viewed in their entirety, must be readily accessible to and usable by individuals with disabilities.

Public Entity. Any state or local government; any department, agency, special-purpose district or other instrumentality of a state or local government.

Public Right-of-Way. Public land or property, usually in interconnected corridors, that is acquired for or dedicated to transportation purposes.

Qualified Historic Facility. A facility that is listed in or eligible for listing in the National Register of Historic Places, or designated as historic under an appropriate state or local law.

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

⁷⁶ Title II Regulations. Appendix B 28 C.F.R. Test C—Being regarded as having such an impairment

Reasonable Modification.⁷⁷ A public entity must modify its policies, practice, or procedures to avoid discrimination unless the modification would fundamentally alter the nature of its service, program, or activity.

Regarded as Having a Disability. An individual is *disabled* if she or he is treated or perceived as having an impairment that substantially limits major life activities, although no such impairment exists.

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

Scoping. Requirements that specify what features are required to be accessible and, where multiple features of the same type are provided, how many of the features are required to be accessible.

Service Animal. Service animals are dogs (and in certain circumstances, miniature horses) that are individually trained to perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post-Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA. Guidance on the use of the term *service animal* in the 2010 Standards has been published online at https://www.ada.gov/service_animals_2010.htm.

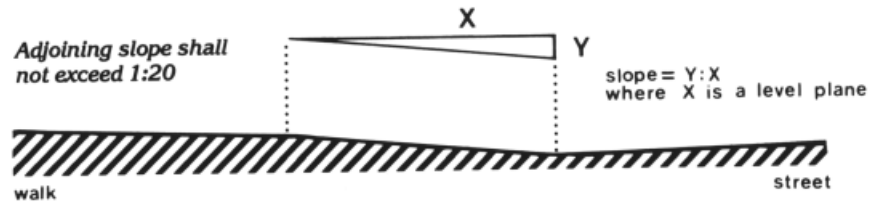
Title II regulations now include assessment factors to assist public entities in determining whether miniature horses can be accommodated as service animals in their facilities:

- Whether the miniature horse is housebroken;
- Whether the miniature horse is under the owner's control;
- Whether the facility can accommodate the miniature horse's type, size, and weight; and
- Whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility.

⁷⁷ Title II Regulations. 28 C.F.R. § 35.130 General prohibitions against discrimination. Subpart B—General Requirements

Slope. Ground surface that forms a natural or artificial incline. Slope is typically conveyed as either a percentage or a ratio that represent the change in elevation between two points of an incline divided by the horizontal distance between the two points.

- Cross Slope: The slope that is perpendicular to the direction of travel.
- Running Slope: The slope that is parallel to the direction of travel.



Running Slope Diagram, Source: US Access Board

Substantial Limitations of 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.

Major life activities are functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

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.

Technical Standards. Specify the design criteria for accessible features, including the specific numbers, conditions, and measurements that are required.

Technically Infeasible. With respect to an alteration of a building or a facility, something that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member that is an essential part of the structural frame; or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features that are in full and strict compliance with the minimum requirements.

Vertical Surface Discontinuities. Vertical differences in level between two adjacent surfaces.

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6. Program Accessibility Guidelines, Standards, and Resources

6.1 Oregon and National Organizations Supporting People with Disabilities

Access Recreation

Access Recreation is a Portland, Oregon ad hoc committee that developed guidelines for minimum information that should be provided about hiking trails and outdoor facilities to benefit hikers with disabilities, and which can be applied to websites, printed materials, and at trail sites. The committee is made up of representatives from federal, state, and local park agencies and organizations that support people with disabilities.

http://accessrecreation.org/home/Access_Recreation_Home.html

Adaptive Sports Northwest

Adaptive Sports Northwest provides adaptive sports and recreation opportunities to those in Oregon and southwest Washington, and seeks to tap the potential of possibility in each participant. The organization has partnerships with the United States Paralympic Committee, Wheelchair & Ambulatory Sports USA, and Disabled Sports USA.

<http://www.adaptivesportsnw.org/>

Aging and Disability Resource Connection of Oregon (ADRC)

ADRC is a statewide resource providing information about local public and privately paid services to address aging or disability needs. The organization's trained professional staff can help with immediate needs or planning for the future.

<https://adrcoforegon.org>

The Arc

The Arc (formerly Association for Retarded Citizens of the United States) is the country's largest voluntary organization committed to the welfare of all children and adults with mental retardation and their families.

<http://www.thearc.org>

American Association of People with Disabilities

The American Association of People with Disabilities is the largest nonprofit, nonpartisan, cross-disability organization in the United States.

<http://www.aapd.com/>

American Foundation for the Blind (AFB)

AFB is committed to improving accessibility in all aspects of life—from cell phones to ATMs, on web sites, and in workplaces. Services include assistance in making products and services accessible to people with visual impairments. AFB offers expert consulting services and accessible media production. AFB provides objective product evaluations of adaptive technologies through its assistive technology product database.

<http://www.afb.org/>

Autism Society of Oregon

This affiliate of the Autism Society, the nation's leading grassroots autism organization, exists to improve the lives of all affected by autism by increasing public awareness about the day-to-day issues faced by people on the spectrum, advocating for appropriate services for individuals across the lifespan, and providing the latest information regarding treatment, education, research, and advocacy.

<http://autismsocietyoregon.org/>

Center on Technology and Disability

Funded by the U.S. Department of Education's Office of Special Education Programs, the Center on Technology and Disability provides a wide range of resources on assistive technology, from introductory fact sheets and training materials to in-depth discussion of best practices and emerging research.

<http://www.ctdinstitute.org/>

Clackamas County Services and Programs for Persons with Disabilities

Clackamas County offers many services that support active, independent living for persons with disabilities, including Clackamas County Aging and Disability Resource Connection, Family Caregiver Support Program, Senior Companions, Housing Assistance, Energy Assistance, Transportation Assistance, Behavioral Health services, and Developmental Disability services.

<http://www.clackamas.us/socialservices/disabilities.html>

Disability.gov

Online resources for High School: Guidelines for Accessing Alternative Format, inclusion materials, educational technology, a comprehensive list including college preparatory materials, transition issues for children with special needs and more.

<https://www.disability.gov/education>

Disability Resources, Inc. (DRI)

DRI is a national nonprofit organization that provides information about resources for independent living. DRI maintains an on-line directory of assistive technology resources.

<http://www.disabilityresources.org/>

Disability Rights Oregon (DRO)

DRO promotes and defends the rights of individuals with disabilities. DRO is a non-profit law office that provides advocacy and legal services to people with disabilities who have an issue related to their disability and that falls within their goals and priorities. Each year DRO sets its goals and priorities, with help from the disability community, to guide the work they do and to further their mission and vision.

<https://droregon.org/>

Institute for Human Centered Design

The Institute (formerly known as Adaptive Environments) is a non-profit organization committed to advancing the role of design in expanding opportunity and enhancing experience for people of all ages and abilities. The organization provides education and consultation to public and private entities about strategies, precedents and best practices that go beyond legal requirements for human centered design for places, things, communication and policy that integrate solutions with the reality of human diversity.

<http://humancentereddesign.org/>

National Association of the Deaf (NAD)

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.

<http://www.nad.org/>

National Federation of the Blind (NFB)

NFB is a national organization advocating on behalf of persons who are blind or have low vision. NFB provides on-line resources 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 (CCTV).

<http://www.nfb.org/>

National Organization on Disability

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.

<http://www.nod.org/>

Northwest ADA Center, National Institute on Disability and Rehabilitation Research

The ADA National Network Centers are a national platform of ten centers comprised of ADA professionals and experts charged with assisting businesses, state and local governments, and people with disabilities as they manage the process of changing our culture to be user friendly to disability and the effect the variety of health conditions can have on society. The Northwest ADA Center is a part of the Department of Rehabilitation Medicine at the University of Washington, and collaborates with the Center for Technology and Disability Studies, a program within the Center for Human Development and Disability and the Department of Rehabilitation Medicine.

<http://nwadacenter.org/>

Oregon Department of Human Services, Aging and People with Disabilities

The mission of the Oregon Department of Human Services, Aging and People with Disabilities is to make it possible for seniors and people with disabilities to become independent, healthy and safe with opportunities for community living, employment, family support and services that promote independence, choice and dignity. <http://www.oregon.gov/DHS/spwpd/Pages/index.aspx>

Oregon Disabilities Commission

Initially formed in 1983 and re-formed in 2005 after a brief hiatus, the Oregon Disabilities Commission (ODC) is a governor-appointed commission housed in the Department of Human Services. The commission is composed of 15 members broadly representative of major public and private agencies that are experienced in or have demonstrated particular interest in the needs of individuals with disabilities.

<http://www.oregon.gov/DHS/SENIORS-DISABILITIES/ADVISORY/ODC/Pages/index.aspx>

Oregon Technology Access Program (OTAP)

OTAP provides training, information, technical assistance, and resources regarding the uses of technology for children with disabilities. Services are available to anyone concerned with the needs of Oregon's children with disabilities from birth to age 21. The program is sponsored by the Oregon Department of Education.

<http://www.otap-oregon.org>

Paralyzed Veterans of America (PVA)

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 provides information on useful sports publications and a list of contacts.

<http://www.pva.org>

State Independent Living Council (SILC)

SILC is a federally mandated, governor-appointed body, designed to ensure that people with disabilities have a major role in designing Oregon's Independent Living program services. The Independent Living Services Program is a nonresidential, consumer-directed model of peer support, information and referral, skills training, and advocacy for people with disabilities.

<http://www.oregon.gov/DHS/SENIORS-DISABILITIES/SILC/pages/index.aspx>

TVW Inc.

TVW helps people with disabilities prepare for, find, attain, and maintain employment to become more self-sufficient and independent. The organization operates a work-place readiness training program that includes vocational training, communication skills in the workplace, interviewing, attire, appropriate language, and more. Career development services include discovery, vocational assessments, job development, and job coaching.

<http://www.tv-workshop.com/>

United Cerebral Palsy Association (UCP)

UCP's mission is to advance the independence, productivity and full citizenship of people with cerebral palsy and other disabilities, through a commitment to the principles of independence, inclusion, and self-determination. UCP's Sports and Leisure Channel is designed for people with disabilities who are interested in sports and other leisure activities and proposes creative ideas for inclusive community recreation programs, including outdoor adventure activities for people with disabilities. Information about the Sports and Leisure Channel is available on UCP's website.

<http://www.ucp.org>

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.

<http://www.unitedspinal.org>

Washington County Disability, Aging, and Veteran Services (DAVS)

This division of the Department of Health and Human Services provides programs and services to maintain and enhance the quality of life for Washington County seniors, veterans, and people with disabilities. DAVS offers support for family caregivers, assists with Medicare, connects individuals with limited income and resources to key benefits, and provides short-term intervention to help isolated seniors navigate and access services, among other programs.

<https://www.co.washington.or.us/hhs/davs/>

World Institute on Disability

WID is an international public policy center dedicated to carrying out research on disability issues. WID maintains an online information and resource directory on technology, research, universal design, and ADA.

<http://www.wid.org/resources/>

6.2 Guidance Documents and Organizations – General

Disabled Sports USA, Challenge Magazine

<http://www.disabledsportsusa.org/about/news/challenge-magazine/>

National Center on Accessibility. Indiana University, Bloomington.

<http://www.ncaonline.org/resources/>

National Center on Physical Activity and Disability. What to Know Before You Go: The Big Questions to Ask Before Arriving at Your “Accessible” Recreation Destination.

<https://www.nchpad.org/277/1750/What~to~Know~Before~You~Go~~The~Big~Questions~to~Ask~Before~Arriving~at~Your~~Accessible~~Recreation~Destination>

The National Institute on Disability and Rehabilitation Research, which is an agency of the U.S. Department of Education, maintains a national web-based service that provides up-to-date links to assistive technologies and disability-related resources.

<http://www.abledata.com/>

North Carolina State University: The Center for Universal Design

<https://projects.ncsu.edu/ncsu/design/cud/>

Skulski, Jennifer and Gary Robb. Program Access: Beyond Bricks and Mortar. National Center on Accessibility, Indiana University, Bloomington. 2006.

<http://www.ncaonline.org/resources/articles/program-access.shtml>

U.S. Department of Agriculture, Forest Service. Accessibility Guidebook for Outdoor Recreation and Trails. 0623-2801-MTDC. 2006.

<http://www.fs.fed.us/recreation/programs/accessibility/htmlpubs/htm06232801/>

U.S. Department of the Interior, National Park Service: Rivers, Trails and Conservation Assistance Program

<http://www.nps.gov/orgs/rtca/index.htm>

6.3 Guidance Documents and Articles – Web Design

National Center for Accessible Media (NCAM)

NCAM is a research and development facility dedicated to addressing barriers to media and emerging technologies for people with disabilities in their homes, schools, workplaces, and communities. NCAM is part of the Media Access Group at Boston public broadcaster WGBH, which includes two production units, The Caption Center and Descriptive Video Service® (DVS®). Tools and guidelines for creating accessible media can be downloaded from the NCAM website.

http://ncam.wgbh.org/invent_build/web_multimedia/tools-guidelines

Utah State University, Center for Persons with Disabilities, WebAIM

WebAIM (Web Accessibility in Mind) is a non-profit organization based at the Center for Persons with Disabilities at Utah State University that has provided comprehensive web accessibility solutions since 1999. Documents and training materials, including the following publications, can be downloaded from the WebAIM website.

<http://www.webaim.org/>

- Color Contrast Checker. <https://webaim.org/resources/contrastchecker/>
- Web Accessibility Evaluation Tool (WAVE). <http://wave.webaim.org/>
- Section 508 Checklist. <https://webaim.org/standards/508/checklist>
- Web Accessibility for Designers. <https://webaim.org/resources/designers/>

Web Accessibility Initiative (WAI)

WAI develops guidelines widely regarded as the international standard for Web accessibility, support materials to help understand and implement Web accessibility, and resources, through international collaboration. The Web Content Accessibility Guidelines (WCAG) was developed with a goal of providing a single shared standard for web content accessibility that meets the needs of individuals, organizations, and governments internationally. Documents and training materials, including the following publications, can be downloaded from the WAI website.

<https://www.w3.org/WAI/>

- Caldwell, Ben, Michael Cooper, Loretta Guarino Reed and Gregg Vanderheiden (eds.) Web Content Accessibility Guidelines (WCAG) 2.0. 2008. <https://www.w3.org/TR/WCAG20/>

6.4 Guidance Documents and Articles – Signage

American Printing House for the Blind, Inc. (APH). APH Tactile Graphic Image Library.

<http://www.aph.org/tgil/>

Arditi, Aries. Effective Color Contrast: Designing for People with Partial Sight and Color Deficiencies. 2005.

<http://li129-107.members.linode.com/accessibility/design/accessible-print-design/effective-color-contrast/>

Cooper, Michael, Andrew Kirkpatrick and Joshue O Connor (eds). "G18: Ensuring that a contrast ratio of at least 4.5:1 exists between text (and images of text) and background behind the text." Techniques for WCAG 2.0. W3C Working Group Note. October 2016.

<https://www.w3.org/TR/WCAG20-TECHS/G18.html>

Luminant Design LLC. Signage and the 2010 ADA Standards v2.1. 2011.

<http://www.luminantdesign.com/ada.html>

Society for Experiential Graphic Design (SEGD). Signage Requirements in the 2010 Standards for Accessible Design. 2012.

https://segd.org/sites/default/files/SEGD_2012_ADA_White_Paper_Update.pdf

U.S. Department of the Interior, National Park Service – Harpers Ferry Center Accessibility Committee

Harpers Ferry Center (HFC) serves as the Interpretive Design Center for the National Park Service. HFC works to ensure that the highest level of accessibility that is reasonable is incorporated into all aspects of interpretive media, planning, design, and construction. This includes ensuring that all new interpretive media are provided in such a way as to be accessible to and usable by all persons with a disability. It also means all existing practices and procedures are evaluated to determine the degree to which they are currently accessible to all visitors, and modifications are made to assure conformance with applicable laws and regulations. The HFC website includes accessibility resources, guidelines and updates, Department of the Interior Section 504, photographs of best practices, and more.

<http://www.nps.gov/hfc/accessibility/>

- Wayside Exhibits: A Guide to Developing Outdoor Interpretive Exhibits. 2009.
<https://www.nps.gov/hfc/pdf/waysides/wayside-guide-first-edition.pdf>
- Programmatic Accessibility Guidelines for National Park Service Interpretive Media, v2.3. 2017.
<https://www.nps.gov/hfc/accessibility/guidelines/>

6.5 Guidance Documents and Articles – Creating Accessible Documents

Adobe. Creating Accessible Adobe PDF Files.

<https://helpx.adobe.com/acrobat/using/creating-accessible-pdfs.html>

Adobe. Create and verify PDF accessibility (Acrobat Pro).

<https://helpx.adobe.com/acrobat/using/create-verify-pdf-accessibility.html>

American Council of the Blind (ACB). Best Practices and Guidelines for Large Print Documents used by the Low Vision Community. 2011.

<http://acb.org/large-print-guidelines>

Braille Authority of North America and the Canadian Braille Authority. Guidelines and Standards for Tactile Graphics (Web Version). 2012.

<http://www.brailleauthority.org/tg/web-manual/tgmanual.html>

GSA Government-wide Section 508 Accessibility Program

Create Accessible Electronic Documents (a compilation of federal guidance, checklists, and testing information for creating and maintaining accessible documents in various popular electronic formats, including Word, PDF, Excel, and PowerPoint).

<https://www.section508.gov/content/build/create-accessible-documents>

Guidance from the Accessible Electronic Document Community of Practice (AED COP) on creating and testing accessible Microsoft Word documents includes:

- Section 508 Basic Authoring and Testing Guides, MS Word 2010 and MS 2013. 2015.
<https://www.section508.gov/content/build/create-accessible-documents>
- Basic Authoring and Testing Checklists, MS Word 2010 and MS 2013. 2015.
<https://www.section508.gov/content/build/create-accessible-documents>
- Baseline Tests for Accessible Electronic Documents—MS Word 2010 and MS 2013. 2015.
<https://www.section508.gov/content/build/create-accessible-documents>

Smithsonian Institution. Smithsonian Guidelines for Accessible Publication Design. 2001.
<https://www.si.edu/Content/Accessibility/Publication-Guidelines.pdf>

Social Security Administration, Accessibility Resource Center (SSA-ARC). SSA Guide: Producing Accessible Word and PDF Documents, Version 2.1. 2010.
https://www.ssa.gov/accessibility/files/The_Social_Security_Administration_Accessible_Document_Authoring_Guide_2.1.2.pdf

Sutton, Jennifer. A Guide to Making Documents Accessible to People Who Are Blind or Visually Impaired. 2002.
<http://www.sabeusa.org/wp-content/uploads/2014/02/A-Guide-to-Making-Documents-Accessible-to-People-Who-are-Blind-or-Visually-Impaired.pdf>

U. S. Department of Veterans Affairs, Section 508 Support Office. Creating Accessible PDFs with Adobe Acrobat Professional. 2016.
<https://www.section508.va.gov/support/tutorials/pdf/index.asp>

6.6 Guidance Documents and Articles – Alternative Format Communications

American Council of the Blind (ACB)

ACB 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, which is available online, in regular print, large print, braille, or on cassette tape. ACB is located at 1155 15th St. NW, Suite 1004, Washington, DC 20005 (800) 424-8666. Email info@acb.org or go to <http://www.acb.org/>.

National Center on Accessibility (NCA)

NCA publishes ‘What are Alternative Formats? How Do They Apply to Programs and Services?’ which is available for downloading from their website.
<http://www.ncaonline.org/>

6.7 Assistive Listening Systems and Devices

See the Assistive Listening Systems Technical Bulletins available on the U.S. Access Board’s website.
<http://www.access-board.gov/>

Closed Caption Machine

To the extent practical, City departments should have access to a device for encoding closed captioning on films and videotapes used for training and other programs.

Optical Readers

Equipment that can translate printed information into an audio format should be available to the City programs.

Text Telephone (TTY)

City programs 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. See the Text Telephones Technical Bulletin available on the U.S. Access Board's website.

<http://www.access-board.gov/>

TDI Online

TDI's mission is to promote equal access in telecommunications and media for people who have hearing loss, are deaf, late deafened, or deaf blind. TDI encourages accessible applications of existing and emerging technologies in all sectors of the community, advises on promotes the uniformity of standards for telecommunications and media technologies, and networks and collaborates with other disability organizations, government, industry and academia.

<http://www.tdi-online.org/>

- TDI's on-line resources include information about telecommunications access such a TTY, pagers, telephony, VoIP, and more. <http://tdiforaccess.org/>

Video Relay Services (VRS)

Video Relay Service (VRS) is a form of Telecommunications Relay Service (TRS) that enables persons with hearing disabilities who use American Sign Language to communicate with voice telephone users through video equipment, rather than through typed text. Video equipment links the VRS user with a TRS operator – called a “communications assistant” (CA) – so that the VRS user and the CA can see and communicate with each other in signed conversation. The conversation between the VRS user and the CA flows much more quickly than with a text-based TRS call, so VRS has become a popular form of TRS.

www.fcc.gov/guides/video-relay-services

Hands on Video Relay Service

(877) 467-4877 for English, or (877) 467-4875 for Spanish

Sorenson Video Relay

Using a standard telephone, simply call the toll-free number (866) 327-8877. Have the contact information of the deaf or hard-of-hearing individual (i.e. name, videophone number or IP address) ready. Remain on hold until the call is answered by the next available interpreter.

Sprint VRS

(877) 709-5776 or <http://www.sprintrelay.com/>

6.8 Federal, State, and Local Laws, Standards, and Ordinances

Federal Government

U.S. Department of Justice, Civil Rights Division, Disability Rights Section

The U.S. Department of Justice provides many free ADA materials including the Americans with Disability Act (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 Department of Justice website.

<http://www.ada.gov/>

- Americans with Disabilities Act (ADA) title II Regulations: Nondiscrimination on the Basis of Disability in State and Local Government Services. 2010.
https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.pdf
- 2010 ADA Standards for Accessible Design. 2010.
www.ada.gov/regs2010/2010ADAStandards/2010ADAstandards.htm
- Title II Technical Assistance Manual (1993) and Yearly Supplements.
<http://www.ada.gov/taman2.html>
- Accessibility of State and Local Government Websites to People with Disabilities. 2003.
https://www.ada.gov/websites2_prnt.pdf
- ADA Best Practices Tool Kit for State and Local Governments. 2008.
<https://www.ada.gov/pcatoolkit/abouttoolkit.htm>
- ADA Guide for Small Towns. 2000.
<http://www.ada.gov/smtown.htm>
- The ADA and City Governments: Common Problems. 2000.
<http://www.ada.gov/comprob.htm>
- ADA Requirements: Effective Communication. 2014.
<https://www.ada.gov/effective-comm.pdf>
- ADA Requirements: Service Animals. 2010.
https://www.ada.gov/service_animals_2010.pdf
- ADA Information for Law Enforcement. 2008.
<http://www.ada.gov/policeinfo.htm>
- Commonly Asked Questions About the ADA and Law Enforcement. 2006.
http://www.ada.gov/q&a_law.htm
- Communicating with People Who are Deaf or Hard of Hearing: ADA Guide for Law Enforcement Officers. 2006.
<http://www.ada.gov/lawenfcomm.htm>
- Model Policy for Law Enforcement on Communicating with People Who are Deaf or Hard of Hearing. 2006.
<http://www.ada.gov/lawenfmodpolicy.htm>
- Questions and Answers: The ADA and Hiring Police Officers. 1997.
<http://www.ada.gov/copsq7a.htm>
- ADA Requirements: Wheelchairs, Mobility Aids and Other Power-Driven Mobility Devices. 2014.
<https://www.ada.gov/opdmd.pdf>
- An ADA Guide for Local Governments: Making Community Emergency Preparedness and Response Programs Accessible to People with Disabilities. 2008.
<https://www.ada.gov/emergencyprepguide.htm>
- Access for 9-1-1 and Telephone Emergency Services. 1998.
<http://www.ada.gov/911ta.htm>
- The Americans with Disabilities Act and Other Federal Laws Protecting the Rights of Voters with Disabilities. 2014.
https://www.ada.gov/ada_voting/ada_voting_ta.htm

- ADA Checklist for Polling Places. 2016.
<https://www.ada.gov/votingchecklist.htm#toc1>

U.S. Access Board—Architectural and Transportation Barriers Compliance 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 for free and can be downloaded or ordered by completing a form available on the Access Board's website. In addition to regular print, publications are available in large print, disk, audiocassette, and braille.

<http://www.access-board.gov/>

- ADA and ABA Accessibility Guidelines (ADAAG), (36 CFR Parts 1190 and 1191). Final Rule published in the Federal Register, July 23, 2004; as amended through May 7, 2014.
<https://www.access-board.gov/attachments/article/412/ada-aba.pdf>
- Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities; Architectural Barriers Act (ABA) Accessibility Guidelines, Correction. Final Rule published in the Federal Register, November 12, 2013.
<https://www.federalregister.gov/documents/2013/11/12/2013-26780/americans-with-disabilities-act-ada-accessibility-guidelines-for-buildings-and-facilities>
- Architectural Barriers Act (ABA). Pub. L. 90-480 (42 U.S.C. §§4151 et seq.). 1968.
<https://www.access-board.gov/the-board/laws/architectural-barriers-act-aba>
- Architectural Barriers Act Accessibility Guidelines; Outdoor Developed Areas (AGODA) (36 CFR Part 1191). Final Rule published in the Federal Register, September 26, 2013.
<https://www.access-board.gov/attachments/article/1500/outdoor-rule.pdf>
- Electronic and Information Technology Accessibility Standards; (36 CFR Part 1194). Final Rule published in the Federal Register, December 21, 2000.
[https://www.access-board.gov/attachments/article/523/508standards\(1\).pdf](https://www.access-board.gov/attachments/article/523/508standards(1).pdf)
- Guidance on Use of the International Symbol of Accessibility Under the Americans with Disabilities Act and the Architectural Barriers Act. 2017.
<https://www.access-board.gov/attachments/article/1898/ISA-guidance.pdf>
- Information and Communication Technology (ICT) Final Standards and Guidelines (36 CFR Parts 1193 and 1194). Final Rule published in the Federal Register, January 18, 2017.
<https://www.access-board.gov/attachments/article/1877/ict-rule.pdf>
- Outdoor Developed Areas: A Summary of Accessibility Standards for Federal Outdoor Developed Areas. May 2014.
<https://www.access-board.gov/attachments/article/1637/outdoor-guide.pdf>
- Telecommunications Act Accessibility Guidelines. Final Rule published in the Federal Register, February 3, 1998.
<https://www.access-board.gov/attachments/article/1067/255rule.pdf>
- Public Right-of-way. 2011.
<http://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way>
- Shared Use Paths. 2013.
<http://www.access-board.gov/guidelines-and-standards/streets-sidewalks/shared-use-paths/about-this-rulemaking>

State of Oregon

The State of Oregon adopted design guidelines for accessible facilities, which can be found in the Oregon Structural Specialty Code Chapter 11 (OSSC). OSSC contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance. OSSC provides minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures and certain equipment. The Oregon Building Code Division follows the 2012 International Building Code (IBC) with amendments and provisions specific to the State of Oregon.

Because building codes are updated every few years, the City should regularly review changes and update policies and procedures related to accessibility to ensure compliance with current code.

- Chapter 11 - Accessibility, Oregon Structural Specialty Code
http://ecodes.biz/ecodes_support/free_resources/Oregon/14_Structural/PDFs/Chapter%2011%20-%20Accessibility.pdf