

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** TLMA - Transportation Department

**SUBMITTAL DATE:**

January 24, 2013

**SUBJECT:** Adopt Resolution 2013-023, Notice of Intent to adopt the Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan for Access in the Public Road Right-of-Way.

**RECOMMENDED MOTION:** That the Board of Supervisors adopt Resolution 2013-023 giving notice of the Board's intention to:

1. Adopt the "Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan for Access in the Public Road Right-of-Way" (Plan);
2. Adopt the "ADA Complaint Resolution Procedure for Pedestrian Facilities in the Public Road Right-of-Way";

Juan C. Perez  
Director of Transportation

JCP:pr:cmw  
(Continued On Attached Page)

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2012/2013

**SOURCE OF FUNDS:** No General Funds are used in this project.

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE

BY   
Tina Grande

**County Executive Office Signature**

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Ashley, seconded by Supervisor Stone and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Stone, Benoit and Ashley  
Nays: None  
Absent: Tavaglione  
Date: February 5, 2013  
xc: Transp., COB

Kecia Harper-Ihem  
Clerk of the Board

By:   
Deputy

**Prev. Agn. Ref.** 09/01/1998 #3.40,  
08/23/2005 #3.59.

**District:** All

**Agenda Number:**

3-48

FORM APPROVED COUNTY COUNSEL  
BY: 1-17-13  
DATE  
ELENAM BOEVA  
Departmental Concurrence

Dep't Recomm.: ☐ Consent ☒ Policy  
Per Exec. Ofc.: ☐ Consent ☒ Policy

The Honorable Board of Supervisors

RE: Adopt Resolution No. 2013-023, Notice of Intent to adopt the Americans with Disabilities Act (ADA) Self Evaluation and Transition Plan for Access in the Public Road Right-of-Way.

January 16, 2013

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3. Authorize the Director of Transportation to appoint the Transportation ADA Coordinator to administer the Plan and to coordinate with the central Disability Access Office; and
4. Authorize the Director of Transportation to update the Plan regularly as needed.

## BACKGROUND:

The Transportation Department operates and maintains a system of sidewalks, curb ramps, pedestrian disability warning devices and pedestrian activated signal systems along streets within the unincorporated areas of Riverside County. It is the goal of the Department to provide safe and usable pedestrian facilities for all pedestrians and to comply with all federal, state and local regulations and standards.

To prohibit discrimination on the basis of disability, the Federal government enacted the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA). Title II of the ADA pertains to state and local governments and requires that persons with disabilities be provided with an equal opportunity to benefit from government programs, services and activities.

In the case of *Barden v. Sacramento* (2002), the court held that sidewalks constitute a service, program or activity of a public agency and that sidewalks are therefore subject to the ADA Title II program accessibility requirements.

Title II of the ADA identifies specific steps that state and local governments must follow to comply with the ADA. These include: 1) preparing a **Self-Evaluation** of programs, services and activities that may not be accessible to persons with disabilities; 2) developing a **Transition Plan** to provide for the elimination of barriers for disabled persons to access these programs, services and activities; 3) designating at least one employee as the **ADA Coordinator** to be responsible for the ADA compliance program; 4) establishing a **Grievance Procedure** to respond to complaints regarding accessibility; 5) providing **Notice** to the public of the County's obligations under Title II to prohibit discrimination on the basis of disability; and 6) providing an opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the Transition Plan by submitting comments and making specific recommendations.

In accordance with these requirements, the Disability Access Office in the Human Resources Department prepared an ADA self-evaluation, grievance procedure and notice of non-discrimination to address access to county-wide employment, programs and services. The Board of Supervisors adopted the "County of Riverside ADA Complaint Resolution Procedure" on September 1, 1998 and the "Americans with Disabilities Act Self-Evaluation, County of Riverside" and "Disability Access and Nondiscrimination" statement on August 23, 2005. The Disability Access Coordinator in the Disability Access Office is the county-wide ADA Coordinator and provides centralized oversight and coordination of ADA compliance efforts with County departments.

The EDA/Facilities Management Department also prepared an ADA self-evaluation and transition plan to specifically address accessibility of County buildings operated by the department, including administrative centers, community centers, libraries, hospitals, sheriff stations, courts and jails. This "Riverside County ADA Transition Plan" for facilities access was

The Honorable Board of Supervisors

RE: Adopt Resolution No. 2013-023, Notice of Intent to adopt the Americans with Disabilities Act (ADA) Self Evaluation and Transition Plan for Access in the Public Road Right-of-Way.

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completed in 1998. The Facilities Management Department has a facilities accessibility coordinator to oversee the implementation of its transition plan.

To address the needs of persons with disabilities to specifically access the public road and sidewalk system, the Transportation Department has prepared the "Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan for Access in the Public Road Right-of-Way" (Plan) (attached as Exhibit A) and the "ADA Complaint Resolution Procedure for Pedestrian Facilities in the Public Road Right-of-Way" (attached as Exhibit B). The Director of Transportation will appoint a Transportation ADA Coordinator to administer the Plan and to coordinate with the central Disability Access Office.

Since 1992, the effective date of the ADA, the Transportation Department (Department) has incorporated ADA and California Title 24 design requirements into the Department's curb ramp, sidewalk and other standard drawings. The Department routinely integrates accessibility into all new and altered improvements within the public road right-of-way. In the last 10 years alone, the Department has overseen the construction of more than 2,500 curb ramps.

Under the Department's ADA compliance program, the Department intends to bring all of the curb ramps within the public road right-of-way into compliance with current standards within approximately 15 years. The Department proposes to utilize transportation funds and competitive grant funds for the proposed expenditures. County General Funds will not be used; therefore, the program will have no net financial effect on the County.

Staff recommends that the Board of Supervisors adopt the attached Resolution giving notice that the Board intends to adopt the Transportation Department's Plan and grievance procedure, and authorize the Director of Transportation to appoint the Transportation ADA Coordinator and to update the Plan regularly as needed. The Final Resolution will be placed on the Board of Supervisor's agenda at least 30 days after adoption of this Resolution.

Attachments:

1. Resolution No. 2013-023
2. Exhibit A – Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan for Access in the Public Road Right-of-Way
3. Exhibit B – ADA Complaint Resolution Procedure for Pedestrian Facilities in the Public Road Right-of-Way

**RESOLUTION No. 2013-023**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE  
ADOPTING A NOTICE OF INTENT  
TO ADOPT THE AMERICANS WITH DISABILITIES ACT (ADA) SELF-EVALUATION AND  
TRANSITION PLAN FOR ACCESS IN THE PUBLIC ROAD RIGHT-OF-WAY AND THE  
ADA COMPLAINT RESOLUTION PROCEDURE FOR PEDESTRIAN FACILITIES IN THE  
PUBLIC ROAD RIGHT-OF-WAY, AND TO AUTHORIZE THE DIRECTOR OF TRANSPORTATION  
TO APPOINT THE TRANSPORTATION ADA COORDINATOR  
AND TO UPDATE THE PLAN REGULARLY AS NEEDED.**

**WHEREAS**, the federal government enacted the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA) to prohibit discrimination on the basis of disability; and

**WHEREAS**, Title II of the ADA pertains to state and local governments and requires that persons with disabilities be provided with an equal opportunity to benefit from government programs, services and activities; and

**WHEREAS**, Title II of the ADA identifies specific steps that state and local governments must follow to comply with the ADA, including: 1) preparing a Self-Evaluation of programs, services and activities that may not be accessible to persons with disabilities; 2) developing a Transition Plan to provide for the elimination of barriers for disabled persons to access these programs, services and activities; 3) designating at least one employee as the ADA Coordinator to be responsible for the ADA compliance program; 4) establishing a Grievance Procedure to respond to complaints regarding accessibility; 5) providing Notice to the public of the County's obligations under Title II to prohibit discrimination on the basis of disability; and 6) providing an opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the Transition Plan by submitting comments and making specific recommendations; and

**RESOLUTION No. 2013-023**

**WHEREAS**, in the case of *Barden v. Sacramento* (2002), the court held that sidewalks constitute a service, program or activity of a public agency and that sidewalks are therefore subject to the ADA Title II program accessibility regulations; and

**WHEREAS**, the Transportation Department operates and maintains a system of sidewalks, curb ramps, pedestrian disability warning devices and pedestrian activated signal systems along streets within the unincorporated areas of Riverside County; and

**WHEREAS**, to comply with the requirements of Title II of the ADA to provide Notice to the public of the County's obligations under Title II to prohibit discrimination on the basis of disability, the Board of Supervisors previously adopted the "Disability Access and Nondiscrimination" statement at its regular session assembled on August 23, 2005; and

**WHEREAS**, to comply with the requirements of Title II of the ADA and to address the needs of persons with disabilities to access the public road and sidewalk system, the Transportation Department has prepared the document, "Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan for Access in the Public Road Right-of-Way" (Plan), attached hereto as Exhibit A and made a part hereof; and

**WHEREAS**, to comply with the requirements of Title II of the ADA to establish a Grievance Procedure to respond to complaints regarding accessibility in the public road right-of-way, the Transportation Department has prepared the document, "ADA Complaint Resolution Procedure for Pedestrian Facilities in the Public Road Right-of-Way," attached hereto as Exhibit B and made a part hereof; and

**WHEREAS**, to comply with the requirements of Title II of the ADA to designate an employee as the ADA Coordinator to be responsible for the administration of the ADA compliance program for the public road right-of-way, the Director of Transportation will appoint a

**RESOLUTION No. 2013-023**

Transportation ADA Coordinator to administer the Plan and to coordinate with the County Disability Access Office; and

**WHEREAS**, the Plan is intended to be a living document and the Director of Transportation will need to update the Plan regularly to reflect progress and adjustments.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on February 5, 2013 hereby giving notice that the Board intends to:

**Section 1.** Adopt the "Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan for Access in the Public Road Right-of-Way"; and

**Section 2.** Adopt the "ADA Complaint Resolution Procedure for Pedestrian Facilities in the Public Road Right-of-Way"; and

**Section 3.** Authorize the Director of Transportation to appoint the Transportation ADA Coordinator to administer the Plan and to coordinate with the County Disability Access Office; and

**Section 4.** Authorize the Director of Transportation to update the Plan regularly as needed.

The Final Resolution will be placed on the Board of Supervisor's agenda at least 30 days after adoption of this Resolution.

**ROLL CALL:**

Ayes: Jeffries, Stone, Benoit and Ashley  
Nays: None  
Absent: Tavaglione

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board

By: \_\_\_\_\_  
Deputy

FORM APPROVED COUNTY COUNSEL

*[Signature]* 1-17-13  
DATE BOEVA

## **Exhibit A**

**Riverside County Transportation Department**

**Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan  
for Access in the Public Right-of-Way**

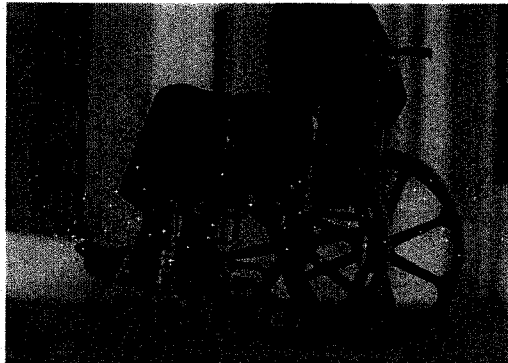


**DRAFT**  
01/15/2013

# **AMERICANS WITH DISABILITIES ACT (ADA) SELF-EVALUATION AND TRANSITION PLAN**

**For Access in the Public Road Right-of-Way**

**ADA**



**RIVERSIDE COUNTY TRANSPORTATION DEPARTMENT**

4080 Lemon Street, 8<sup>th</sup> Floor  
Riverside, CA 92501  
(951) 955-6740

**DRAFT January 15, 2013**



## ADOPTION OF PLAN

On \_\_\_\_\_, 2013, the Riverside County Board of Supervisors approved Resolution No. 2013-024 adopting the "Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan for Access within the Public Road Right-of-Way" prepared by the Riverside County Transportation Department.

### TO ACCOMMODATE PERSONS WITH DISABILITIES, THIS DOCUMENT IS AVAILABLE IN ALTERNATE FORMATS UPON REQUEST BY CONTACTING:

Cathy Wampler, Transportation ADA Coordinator  
 Riverside County Transportation Department  
 3525 14<sup>th</sup> Street, Riverside, CA 92501  
 (951) 955-6803, Fax (951) 955-3164  
 cwampler@RCTLMA.org  
 TTY: 711



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## 1 - INTRODUCTION

To prohibit discrimination on the basis of disability, the Federal government enacted the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA). Title II of the ADA pertains to state and local governments and requires that persons with disabilities be provided with an equal opportunity to benefit from government programs, services and activities.

Title II of the ADA further identifies specific steps that state and local governments must follow to comply with the ADA. These include: 1) preparing a **Self-Evaluation** of programs, services and activities that may not be accessible to persons with disabilities; 2) developing a **Transition Plan** to provide for the elimination of barriers for disabled persons to access these programs, services and activities; 3) designating at least one employee as the **ADA Coordinator** to be responsible for the ADA compliance program; 4) establishing a **Grievance Procedure** to respond to complaints regarding accessibility; 5) providing **Notice** to the public of the County's obligations under Title II to prohibit discrimination on the basis of disability; and 6) providing an **Opportunity** for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the Transition Plan by submitting comments and making specific recommendations.

As an overview, the County of Riverside covers an area of 7,300 square miles, which is approximately the size of the state of New Jersey. With over 2,000,000 residents, the County serves the public in 360 County-operated facilities with approximately 18,000 employees. In addition, the County maintains 2,200 miles of roads, roughly the distance between Riverside County and Washington, D.C.

In accordance with the above ADA Title II requirements, the County's Disability Access Office in the Human Resources Department prepared an ADA self-evaluation, grievance procedure and notice of non-discrimination to address access to county-wide employment, programs and services. The Board of Supervisors adopted the "County of Riverside ADA Complaint Resolution Procedure" in 1998 and the "Americans with Disabilities Act Self-Evaluation, County of Riverside" and "Disability Access and Nondiscrimination" statement in 2005. The Disability Access Coordinator in the Disability Access Office is the county-wide ADA Coordinator that provides centralized oversight and coordination of ADA compliance efforts with County departments.

The County's EDA/Facilities Management Department also prepared an ADA self-evaluation and transition plan to specifically address accessibility of County buildings operated by the department, including administrative centers, community centers, libraries, hospitals, sheriff stations, courts and jails. The "Riverside County ADA Transition Plan" for facilities access was completed in 1998. The Facilities Management Department has a facilities accessibility coordinator to oversee the implementation of its transition plan and to coordinate with the County's central Disability Access Office.

To address the needs of persons with disabilities to specifically access the public road and sidewalk system, the County's Transportation Department has prepared this document, "Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan for Access in the Public Road Right-of-Way" (Plan), and the "ADA Complaint Resolution Procedure for Pedestrian Facilities in the Public Road Right-of-Way," to be adopted by the Riverside County Board of Supervisors. These documents, along with updates and supplements, are available from the Transportation ADA Coordinator identified in Section 3 of this Plan. The Transportation ADA Coordinator is responsible for overseeing the Transportation Department's accessibility compliance program and for coordinating with the County's central Disability Access Office.

The Riverside County Transportation Department (Department) operates and maintains a system of sidewalks, curb ramps, pedestrian disability warning devices and pedestrian activated signal systems within the public road right-of-way in the unincorporated areas of Riverside County. Those facilities are the subject of this Plan. Road and sidewalk systems within the incorporated cities or within the State highway right-of-way are outside the jurisdiction of the County and this Plan. Private property improvements outside the public road right-of-way are also outside the jurisdiction of the Department and this Plan.

As a policy, the Department integrates accessibility into all new and altered improvements within the public road right-of-way. Since 1992, the effective date of the ADA, the Department has incorporated ADA and California Title 24 design requirements into the Department's curb ramp, sidewalk and other standard drawings. In the last 10 years alone, the Department has overseen the construction of more than 2,500 curb ramps.

It is the goal of the Department to provide safe and usable pedestrian facilities for all pedestrians and to assure compliance with all federal, state and local regulations and standards.

## **2 - BACKGROUND**

**Disability Access Laws.** Title VI of the landmark Civil Rights Act of 1964 prohibited government agencies from discriminating on the grounds of race, color or national origin. The rights of persons with disabilities were additionally protected under Section 504 of the Rehabilitation Act of 1973 and even further under the Americans with Disabilities Act of 1990 (ADA).

Title II of the ADA requires state and local governments to provide persons with disabilities an equal opportunity to benefit from government programs, services and activities. In the case of *Barden v. Sacramento* (2002), the court held that, in addition to curb ramps, sidewalks constitute a service, program or activity of a public agency and therefore sidewalks are subject to the ADA Title II program accessibility regulations. Title II dictates that state and local governments with 50 or more employees must

develop self-evaluation and transition plans to make their pedestrian facilities accessible.

In addition to federal regulations, the State of California government code also contains regulations prohibiting discrimination on the basis of disability. The State has established design standards for accessibility under its Title 24, "California Building Standards Code." The State design standards generally match the federal standards, but in certain situations the State standards can be more stringent.

Appendix A provides a summary of federal, state and case law that have shaped the requirements for providing accessible pedestrian facilities.

**Regulatory Agencies and Resources.** The U.S. Congress has given the U.S. Department of Justice (USDOJ) the authority for enforcing Title II of the ADA and for coordinating other federal agencies' enforcement activities under Title II.

In 1973, the U.S. Congress established the United States Architectural and Transportation Barriers Compliance Board (U.S. Access Board) as an independent federal agency tasked with preparing guidelines to standardize physical accessibility requirements. The U.S. Access Board prepared the 1984 Uniform Federal Accessibility Standards (UFAS), the 2004 Americans with Disabilities Act Accessibility Guidelines (ADAAG), and more recently the draft 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (also known as the Public Right-of-Way Accessibility Guidelines or PROWAG). It should be noted that U.S. Access Board guidelines are not enforceable as regulations until adopted, with or without modifications, by the USDOJ and the U.S. Department of Transportation.

In 2010, the USDOJ published revised accessibility requirements incorporating updates of Titles II and III of the ADA and the 2004 update of the ADAAG. Together, the updated ADA and 2004 ADAAG comprise the USDOJ's "2010 ADA Standards for Accessible Design." For the public right-of-way, however, the USDOJ is recommending the use of the draft PROWAG for best design practices. The final PROWAG is subject to revision before its adoption.

The U.S. Department of Transportation (USDOT) is the agency responsible for overseeing state and local governments' compliance with Title II of the ADA in transportation systems including highway, railroad, transit, maritime and aviation. The Federal Highway Administration (FHWA), a division of the USDOT, is responsible for implementation of pedestrian access requirements in the public road right-of-way.

Within the State of California, the Division of the State Architect (DSA) has been given the authority to develop regulations and standards to ensure full accessibility to public and private facilities throughout California, including the California Building Standards Code.

The California Department of Transportation (Caltrans) is the state agency that regulates the construction, operation and maintenance of facilities within state highway right-of-way. FHWA has given Caltrans authority to enforce ADA regulations with local agencies.

The Riverside County Transportation Department (Department) regulates the construction, operation and maintenance of facilities in the unincorporated County public road rights-of-way, including work and activities performed by the Department and others.

Each of the above agencies has produced regulations, technical publications and/or design standards that address making pedestrian facilities accessible by persons with disabilities. A summary of the above agencies and resources is discussed in Appendix B.

**Disability Defined.** Under the ADA, a qualified individual with a disability is defined as a person who has a physical or mental impairment that substantially limits one or more major life activities. The two primary areas of disabilities that are typically accommodated in pedestrian facility design are mobility and visual impairments, but hearing and mental impairments can also be accommodated. Appendix C provides a discussion of how design standards can provide improved pedestrian access for different types of disabilities.

**Technical Requirements.** Minimum design criteria for accessible pedestrian facilities has been established and published by federal and state regulatory agencies. It should be noted that the ADA has no effect on any state or local regulations that provide protection for individuals with disabilities at a level greater than that provided by the ADA. A summary of the technical standards as they apply to pedestrian facilities in the County's public road right-of-way is discussed in Appendix D.

**Required Improvements and Exceptions.** The USDOJ has made a distinction between what accessibility requirements apply to new construction, altered construction and maintenance activities. The USDOJ has also recognized that exceptions to the design standards are allowed when applying the standards may be technically infeasible, structurally impracticable or threatens historically significant features of a qualified historic facility. A discussion of these topics, as well as when cost is or is not a determining factor, is provided in Appendix E.

### **3 - ADA COMPLIANCE PROGRAM**

As established by the Riverside County Board of Supervisors, the Riverside County Transportation Department (Department) is the department responsible for the operation and maintenance of the County's public road system. The Department is, correspondingly, responsible for administering the ADA compliance program for accessible pedestrian facilities within the public road right-of-way.

**Responsible Official.** The official responsible for implementation of the ADA compliance program within the County's public road right-of-way system is the Director of Transportation. The current Director of Transportation is:

Juan C. Perez, PE, TE, Director of Transportation  
Riverside County Transportation Department  
4080 Lemon Street, 14th Floor, Riverside, CA 92501  
(951) 955-6741

**County-wide ADA Coordinator.** Title II of the ADA requires state and local governments with 50 or more employees to designate at least one employee, commonly known as the ADA Coordinator, responsible for coordinating compliance with ADA requirements and investigating any complaints.

The Disability Access Coordinator in the Disability Access Office of the Human Resources Department is the county-wide ADA Coordinator that provides centralized oversight and coordination of ADA compliance efforts with County departments. The current Disability Access Coordinator is:

Sue Birch, SPHR, Disability Access Coordinator  
County of Riverside  
Disability Access Office - Human Resources  
P.O. Box 1569, Riverside, CA 92502-1569  
(951) 955-5663, Fax (951) 955-0385  
TTY: (951) 955-8688  
ADA@rc-hr.com

Furthermore, each County department has an ADA Compliance Representative that serves as a liaison to the Disability Access Office.

**Designation of a Transportation ADA Coordinator.** The Director of Transportation appoints the Transportation ADA Coordinator to administer the department's ADA compliance program and to coordinate with the central Disability Access Office. This appointed employee may change from time to time. The name and contact information for the current appointee may be found by contacting the Department's Directors Office. The current Transportation ADA Coordinator is:

Cathy Wampler, Transportation ADA Coordinator  
Riverside County Transportation Department  
3525 14th Street, Riverside, CA 92501  
(951) 955-6803, Fax (951) 955-3164  
cwampler@RCTLMA.org  
TTY: 711

**Accessibility Compliance Program Advisors.** The Department seeks oversight and guidance for the Department's ADA compliance program through input from various advisors, including the Department's management staff, other County management staff, technical consultants and members of the public representing the disabled community.

The Department's staff advisors include:

- Director of Transportation
- Deputy Director of Transportation
- Transportation ADA Coordinator
- Traffic Engineering Division Manager
- Transportation Planning/ Development Review/ Plan Check Engineering Division Manager
- Project Development Engineering Division Manager
- Construction Engineering Division Manager
- Desert and Permit Engineering Division Manager
- Highway Operations Superintendent
- Program Funding Engineering Division Manager
- GIS Database Manager

The other County departments that are consulted with on an as-needed basis include:

- Executive Office
- County Counsel
- Human Resources Department, Disability Access Office
- Facilities Management Department

Organizational charts for the Department and for the County of Riverside are available in Appendix G and Appendix H.

In compliance with the ADA, the Department offered opportunities for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the Plan by submitting comments and making specific recommendations. For the adoption of this plan, the Department directly contacted organizations serving disabled persons in Riverside County, including Blindness Support Services, California Council of the Blind, Center on Deafness Inland Empire, and Community Access Center.

The Director of Transportation accepts recommendations from all advisors and has final authority over the preparation of the Plan, the administration of the compliance program and the programmed expenditures.



The advisors involved with the preparation of this Plan are acknowledged in Section 9 of this Plan.

**Construction of Accessibility Improvements.** Implementing the Transition Plan by developing capital projects that specifically provide accessibility improvements (i.e. curb ramps) are primarily managed through the Department's Project Development Division. The Department's Traffic Engineering Division also programs accessibility features into the division's traffic signal and safety improvement capital projects. Unless constructed by the Department's Highway Operation Division's construction crews, capital projects are publicly bid and construction is administered by the Department's Construction Division.

The Highway Operations Division receives a variety of requests from the public for maintenance and improvements. The division has maintenance crews available to perform a limited amount of repair and improvements. In the event that improvements need to be installed quickly to remedy a safety issue, the division may be called upon to respond.

The Department's Transportation Planning/Development Review/Plan Check Division is responsible for developing and updating the Standard Plans contained in County Ordinance 461 for compliance with the most current federal and state accessibility requirements. The division is also responsible for reviewing proposed private development projects and for checking that related improvements within the public road right-of-way comply with federal, state and county accessibility requirements. The Construction Division's Subdivision Inspection Office and Permit Inspection Office are responsible for inspecting privately constructed improvements within the public road right-of-way.

**Policy.** It is the policy of the Department for its staff and consultants to implement all federal and state requirements for accessibility into the Department's new and altered capital improvements and into all private projects providing improvements within the County's public road rights-of-way.

**Design Exceptions.** Where it is technically infeasible or structurally impracticable to fully comply with federal or state minimum standards, the Department makes every effort to provide modifications that would improve the existing conditions to facilitate access to the maximum extent feasible. It is the policy of the Department to prepare a written Design Exception to be approved by the Director of Transportation, which document the proposed solution to the situation.

**Maintenance of Pedestrian Facilities.** In addition to new construction and alteration projects, the Department maintains its existing pedestrian facilities on an on-going basis through the Highway Operations Division. Areas of need are identified by field maintenance personnel and by requests from the public. Ongoing activities provided to maintain the accessibility of existing pedestrian facilities include clearing vegetation to maintain minimum clear path of travel, grinding abrupt level changes in the sidewalk

(such as lifting caused by tree roots), and clearing overhead obstructions (such as trimming tree branches). It is the goal of the Department to provide a timely response to the public's maintenance requests in order to assure accessibility for all persons.

**Staff Technical Training.** Department staff has been trained, and continues to be trained, through workshops and webinars on ADA compliance provided by the U.S. Access Board, FHWA, the Technology Transfer Program of the Institute of Transportation Studies at the University of California, Berkeley, and others. In 2010, the Department brought the Technology Transfer course on "ADA and Transportation Facility Design" to the Department to train 70 individual staff members representing design, plan check, inspection, maintenance and management positions. It is the goal of the Department to offer ongoing ADA training to its key staff members.

#### **4 - NOTIFICATION AND EFFECTIVE COMMUNICATION**

As required by Title II of the ADA, public agencies must notify applicants, participants, beneficiaries, and other interested persons of their rights and the agency's obligations under Title II to prohibit discrimination on the basis of disability. The Disability Access Office in the County's Human Resources Department prepared the "Disability Access and Nondiscrimination" notice, which was adopted by the Riverside County Board of Supervisors in 2005 to address county-wide employment, programs and services. The activities of the Transportation Department are covered under this county-wide notice. This notice, as shown in Appendix I, is posted on the Disability Access Office's webpage and at every County of Riverside public assistance counter, including the Transportation Department.

**Public Outreach.** The Department has provided an opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the Plan by submitting comments and making specific recommendations. A public comment period was announced in an outreach program through notices in newspapers of general circulation in Riverside County, through the Department's internet website, through notices at the Department's public counters and through direct mail letters to disability service organizations. See Appendix R for documentation of the public notification measures taken by the Department.

After adoption, a copy of this Plan will continue to be available for public reference through the Department website and the Transportation ADA Coordinator for a period of no less than 3 years in compliance with Title II of the ADA. The Department welcomes ongoing feedback from the public, including persons with disabilities, regarding the accessibility of its pedestrian facilities. The Department routinely receives requests from the public for maintenance and new improvements, such as sidewalk maintenance, tree trimming and curb ramps. The public communicates these requests to the Department through email, phone calls, and by filling out the ADA

Complaint/Service Request Form or Traffic Control Device Request Form available on the Department's website and at public counters.

The Transportation ADA Coordinator, and/or other staff members appointed by the Director of Transportation, will develop and oversee ongoing public outreach programs with the goal to disseminate information about the Department's efforts to eliminate barriers and make the County's pedestrian rights-of-way accessible by persons with disabilities. The format of the community outreach programs may include the Department's webpages, public meetings, newspaper postings, press releases and brochures.

**Staff Training.** In addition to technical ADA training arranged through the Department for its staff, all County employees in supervisor or management positions receive mandatory training in the Americans with Disabilities Act (ADA) presented by the County's Human Resources Department. In addition, all County of Riverside employees, regardless of their position, receive mandatory training in "Disability Awareness." This training discusses appropriate ways of serving persons with disabilities. All Department staff that work at public counters were required to take a refresher course in "Disability Awareness" in 2012.

**Effective Communication.** To ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others, the Department offers auxiliary aids and services at no cost when requested in advance by qualified individuals with disabilities. Examples of auxiliary aids and services for individuals who are deaf or hard of hearing can include qualified sign-language and oral interpreters, headset amplifiers, listening devices, TTYs (teletypewriters or text telephones), note takers and written materials. For individuals who are blind or have low vision, examples can include large print materials, Braille materials, materials in electronic format on compact disc or email, audio recordings, screen reader software, qualified readers, description of visually presented materials and assistance filling out forms. For individuals with speech impairments, examples can include TTYs, speech synthesizers and communications boards.

Written notification of the availability of auxiliary aids and services is provided on public meeting notices and at public information counters. Listed below is sample wording for a meeting notice:

*In compliance with the Americans with Disabilities Act, persons  
with disabilities may request reasonable accommodations  
(including auxiliary aids and services at no cost)  
to participate in the meeting by contacting  
\_\_\_\_\_ [name] at \_\_\_\_\_ [phone] or \_\_\_\_\_ [email]  
at least 3 business days before the scheduled event.*

In addition, it is the policy of the Department to provide the following statement on meeting notices, agendas and public information documents that documents will be

provided to persons with disabilities in alternate formats (such as large print, audio tape, computer compact disc, etc.) upon request:

*To accommodate persons with disabilities,  
this document is available in alternate formats upon request.*

The County's Human Resources Department maintains a list of on-call consultants that can provide sign language interpreters, listening devices and Braille documents for use by the Department.

The County has also adopted a written policy and procedure to ensure that all County web pages are accessible, including Department web pages. The County routinely runs software to evaluate the accessibility of its online information.

## **5 - INVENTORY AND SELF-EVALUATION**

The Department maintains a Geographic Information System (GIS) database with mapping of all ramps and sidewalks within the public road right-of-way in the unincorporated areas of the County. The database also identifies locations where ramps are "missing."

"Missing" is defined herein as a location where there is: 1) no existing curb ramp and 2) where full-height curbs may create a barrier for persons with disabilities to cross a street along an established pedestrian route. It should be noted that the non-existence of a curb ramp at an intersection corner does not necessary define the location as missing a ramp. For instance, rural streets without curb and gutter do not require the installation of curb ramps at intersection corners if there is no curb creating a barrier. Furthermore, certain streets may utilize asphalt concrete dikes or concrete curb and gutter to direct drainage water; however, if the intersection location is not along an established pedestrian route, then the dike or curb does not pose a barrier and the location does not require the installation of a curb ramp. The presence of a marked crosswalk is an indication of an established pedestrian route. It should also be noted that the lack of connecting sidewalk does not mean that an established pedestrian route does not exist; a well-worn dirt path can be indication of an established pedestrian route. Different conditions can exist at each of the four corners of an intersection.

**Inventory.** As of the date of this Plan, the Department maintains an approximate total of 4,365 curb ramps through 2,175 miles of County-maintained roadways.

The number of existing ramps that have been recently constructed and meet the most current ADA standards, either through new construction or rehabilitation projects, is 512.

The number of existing curb ramps that are not fully ADA compliant (for example, having a ramp slope greater than 8.33%, a landing less than 4 feet, or a non-flush ramp transition) is estimated to be 3,853. Of these, the number of ramps constructed after the year 2000 is 2,761; these ramps are expected to only need minor modifications to install truncated domes and grind the transition lip. The remaining 1,092 ramps were constructed before the year 2000 and may require more substantial modifications. Through field measurements, the Department more accurately determines the number, location and type of modification necessary to bring these ramps to compliance. This data collection process is estimated to take one year from the date of this Plan.

The number of locations where ramps are missing (as defined above) and may present a barrier for persons with disabilities is approximately 351. Removing barriers at these locations is one of the Department's highest priorities.

Appendix S contains an inventory of all the curb ramps in the unincorporated County public road right-of-way.

**Self-Evaluation through Field Surveys.** As part of the Self-Evaluation process, the Transportation ADA Coordinator has implemented a program of obtaining field measurements for the more than 4,000 existing County-maintained ramps. The measurements address typical ADA requirements including but not limited to: 8.33% maximum ramp slope, 10% maximum flared side slope, 2% maximum cross slope, 4' minimum ramp width, 4' minimum landing at the top of the ramp and flush transition at the bottom of the ramp. The survey tools for each survey team typically include a metal measuring tape, smart level, camera and data collection sheets. The ramp inventory shown in Appendix S includes fields for each of the measured data from the ADA Ramp Inspection Reports.

**Pedestrian Signals.** The Department currently maintains traffic signals at 111 locations within the unincorporated areas of the County, 108 of which include pedestrian signals. As part of the self-evaluation process, the Department's Traffic Engineering Division assesses the compliance of the pedestrian signals with accessibility requirements. The Department strives to install concrete curbs and curb ramps at every signalized intersection corner, whether or not the location is along an established pedestrian route of travel.

**Sidewalk Connectivity.** The GIS mapping program provides a visual picture of the existing sidewalk system in the public road right-of-way. From this, missing segments of sidewalk can be identified and improvements to sidewalk connectivity can be planned. Identifying and connecting transit stops to street intersections with sidewalk, where feasible, is a goal of the Department. Competitive grant programs, such as Safe Routes to School, have been used by the Department in the past to fund sidewalk connectivity improvements.

## 6 - TRANSITION PLAN

As stated in Title II of the ADA under Transition Plan: "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." (See Appendix F.)

As discussed in the Inventory section above, here is a summary of the Department's estimated curb ramp conditions:

- 512 existing ramps meet current ADA standards
- 2,761 existing ramps do not meet current ADA standards and require minor modifications
- 1,092 ramps do not meet current ADA standards and require full reconstruction
- 351 locations where ramps are missing and should be installed

**Funding.** Accessibility for disabled persons is viewed by the Department as a safety program requiring allocation of resources. The funding sources that the Department has had available in the past for accessibility improvements included Gas Tax, Proposition 1B and Measure A. The continued availability of these funding sources is unknown. Further, these funding sources are typically programmed for the Department's Pavement Management Program and funds diverted to the ramp construction program will result in less funds being available to maintain roads and repair potholes. In times of limited government funding, balancing available resources with needed programs will be a challenge for the Department.

For preliminary planning purposes, it is assumed that \$700,000 per year will be allocated to the ADA compliance program from the above funding sources and that another \$50,000 per year will be allocated through other competitive grant programs. The success of the grant applications cannot be guaranteed and the dollar amount is an assumed figure. Sources of possible grant funding include the following:

Community Development Block Grant (CDBG) – Federal  
Safe Route to School (SRTS) - Federal  
Safe Routes to School (SR2S) - State  
SB 821 – State

**Annual Budget for ADA Compliance Program.** For preliminary planning purposes, it is assumed that \$750,000 per year will be programmed for the Department's ADA compliance program. The program includes the surveying of the existing ramp inventory, designing and constructing ramps to bring them into ADA compliance, project management, regular updates of the GIS database, public outreach, annual reports and program administration. This budget may change from year to year depending on the availability of funding.

**Transition Plan.** Table A below provides a plan to eliminate barriers that potentially hinder persons with disabilities from crossing streets in the Department's sidewalk system. The table summarizes the approximate costs to install missing ramps and bring existing ramps into compliance. The table also estimates the number of years that it will take to reach program compliance and the average number of ramps that can be constructed per year based on the estimated annual available budget. Ramp construction will take place in standalone accessibility projects, as well as being incorporated into the Department's regular capital improvement projects.

**TABLE A**

<b><u>RAMP TYPE</u></b>	<b><u>CONSTRUCTION</u></b>	<b><u>NUMBER</u></b>	<b><u>UNIT COST**</u></b>	<b><u>TOTAL COST</u></b>
MISSING RAMPS*	FULL RECONSTRUCTION	351	\$4,500	\$1,579,500
EXISTING RAMPS	FULL RECONSTRUCTION	1,092	\$4,500	\$4,914,000
EXISTING RAMPS	MINOR MODIFICATIONS	2,761	\$2,000	\$5,522,000
EXISTING RAMPS	NONE (FULLY COMPLIANT)	<u>512</u>	\$0	<u>\$0</u>
<b>TOTALS:</b>		<b>4,716</b>		<b>\$12,015,500</b>
<b>ASSUMED ANNUAL BUDGET ALLOCATION***:</b>				<u>\$750,000</u>
<b>APPROX. YEARS TO PROGRAM COMPLIANCE:</b>				16
<b>APPROX. RAMPS PER YEAR:</b>				263

\* "Missing" is defined herein as a location where there is: 1) no existing curb ramp and 2) where full-height curbs may create a barrier for persons with disabilities to cross a street along an established pedestrian route.

\*\* Unit cost includes project administration.

\*\*\* The annual budget allocation is dependent on the availability of funding.

**Priority.** The first step in programming curb ramp construction projects is developing a priority system. Title II of the ADA gives priority to walkways adjacent to or in the vicinity of: state and local government offices and facilities; bus stops and other transportation services; places of public accommodation such as commercial and business zones; facilities containing employers; and then other areas such as residential neighborhoods.

For the purposes of this Plan, the highest priority ramps are those requested by qualified persons with disabilities and those that may involve a path of travel or condition of use that needs safety improvements, such as severely broken or heaved concrete, or an intersection that has high traffic volume and/or high speeds and is missing curb ramps for pedestrian refuge.

The second highest priority ramps are: missing curb ramps around hospitals, medical clinics, doctor offices, senior housing and senior centers; missing curb ramps around schools; missing curb ramps around other government facilities; missing curb ramps around commercial and business zones and public facilities; missing ramps along pedestrian routes to schools; missing ramps at traffic signals; and missing ramps in residential neighborhoods.

The third priority ramps are: non-compliant ramps around hospitals, medical clinics, doctor offices, senior housing and senior centers; non-compliant ramps around schools; non-compliant ramps around other government facilities; non-compliant ramps in the vicinity of commercial and business zones and public facilities; non-compliant ramps along pedestrian routes to schools; non-compliant ramps at traffic signals; and non-compliant ramps in residential neighborhoods.

The next priority is the modification of pedestrian signal facilities, including push button styles and placement, and audible signals.

The final priority is the infill of sidewalk to provide connectivity along pedestrian routes to schools and bus stops, and then replacement of other non-compliant sidewalk. Listed below is a summary:

**Tier A: High-Need Locations**

1. Curb ramps at locations requested by qualified persons with disabilities.
2. Curb ramps that may involve a path of travel that needs safety improvements (such as severely broken or heaved concrete, or an intersection that has high traffic volume and/or high speeds and is missing curb ramps for pedestrian refuge).

**Tier B: Missing Curb Ramps (barrier elimination)**

3. Missing curb ramps around hospitals, medical clinics, doctor offices, senior housing and senior centers.
4. Missing curb ramps around schools.
5. Missing curb ramps around other government facilities.
6. Missing curb ramps around commercial and business zones and public facilities.
7. Missing curb ramps along pedestrian routes to schools.
8. Missing curb ramps at traffic signals.
9. Missing curb ramps in residential neighborhoods.

**Tier C: Non-Compliant Ramps**

10. Non-compliant curb ramps around hospitals, medical clinics, doctor offices, senior housing and senior centers.
11. Non-compliant curb ramps around schools.
12. Non-compliant ramps around other government facilities.
13. Non-compliant curb ramps in the vicinity of commercial and business zones and public facilities.



14. Non-compliant curb ramps along pedestrian routes to schools.
15. Non-compliant curb ramps at traffic signals.
16. Non-compliant curb ramps in residential neighborhoods.

**Tier D: Pedestrian Signals**

17. Modification of non-compliant pedestrian signal facilities.

**Tier E: Infill and Non-Compliant Sidewalk**

18. Infill sidewalk to provide connectivity to bus stops.
19. Infill sidewalk to provide connectivity along pedestrian routes to schools.
20. Infill sidewalk to provide connectivity to existing pedestrian routes (lengths less than 200 feet).
21. Replacement of other non-compliant sidewalk.

Ramps listed in the curb ramp inventory are given a rank of 1 through 100, with 1 being the top priority. The number ranking is only one factor in the process to identify ramps that can be grouped together as a capital improvement project. Due to the cost saving measures of grouping ramps in the same geographic vicinity, and the limited resources available for accessibility improvements, ramps with a lower priority number may be constructed before ramps with a higher priority number.

**Multi-Year Transportation Improvement Program.** The Department has developed a multi-year Transportation Improvement Program (TIP), which is updated annually and approved by the Riverside County Board of Supervisors. All of the Department's capital improvement projects are programmed into the TIP document, including curb ramp accessibility projects. In addition to standalone accessibility projects, all of the Department's capital projects include accessibility improvements within their project limits.

## **7 - SERVICE REQUESTS AND GRIEVANCE PROCEDURE**

Specifically for complaints related to accessibility for disabled persons, Title II of the ADA requires local governments with 50 or more employees to adopt and publish procedures for resolving grievances. The goal of the grievance procedure is to set out a system for resolving complaints of disability discrimination in a prompt and fair manner.

The Disability Access Office in the County's Human Resources Department prepared the "County of Riverside ADA Complaint Resolution Procedure," as shown in Appendix J, which was adopted by the Riverside County Board of Supervisors in 1998 to address county-wide employment, programs and services. This grievance procedure and its corresponding "County of Riverside ADA Complaint Resolution Form," as shown in Appendix K, are available to the public and to employees through the Disability Access Office and its website.

Since complaints and service requests regarding the accessibility of pedestrian facilities in the public road right-of-way are specific to the Transportation Department, the Department has developed and administers a separate grievance procedure.

The Department's ADA grievance procedure, to be adopted by the Riverside County Board of Supervisors with this Plan, is shown below and at Appendix L.

**ADA Complaint Resolution Procedure for  
Pedestrian Facilities in the Public Road Right-of-Way**

This Complaint Resolution Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits provided by the Riverside County Transportation Department for access to pedestrian facilities in the public road right-of-way by persons with disabilities.

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

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

Cathy Wampler, Transportation ADA Coordinator  
Riverside County Transportation Department  
3525 14th Street, Riverside, CA 92501  
Phone (951) 955-6803, Fax (951) 955-3164  
cwampler@RCTLMA.org  
TTY: 711

Within 30 calendar days after receipt of the complaint, the Transportation ADA Coordinator or his/her designee will contact the complainant to discuss the complaint and the possible resolutions. Within 30 calendar days of contacting the complainant, the Transportation ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, audio tape or computer compact disc. The response will explain the position of the Riverside County

Transportation Department and offer options for substantive resolution of the complaint.

If the response by the Transportation ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 30 calendar days after receipt of the response to the Director of Transportation or his/her designee.

Within 30 calendar days after receipt of the appeal, the Director of Transportation or his/her designee will contact the complainant to discuss the complaint and possible resolutions. Within 30 calendar days after the contacting the complainant, the Director of Transportation or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the Transportation ADA Coordinator or his/her designee, appeals to the Director of Transportation or his/her designee, and responses from these two offices will be retained by the Riverside County Transportation Department for at least three years.

*NOTE: The above complaint procedure applies to pedestrian access within the public road right-of-way. Complaints regarding access to County of Riverside facilities, employment, benefits, programs, services, and activities may be directed to the Disability Access Office in the Riverside County Human Resources Department.*

To accommodate persons with disabilities, this notice is available in alternate formats upon request.

The Department routinely receives requests from the public for maintenance and new improvements, such as stop signs, tree trimming and curb ramps. These requests come into the Department through several methods. Individuals either contact the Board of Supervisors, Director of Transportation, Transportation ADA Coordinator, Traffic Engineering Division or Highway Operations Division offices by phone, email, mail or in person. Individuals may also print the ADA Complaint/Service Request Form (see Appendix M) or Traffic Control Device Request Form (see Appendix N) available on-line at the Department's website and at the Department's public counters, and fill it in and mail or fax it to the Department.

When accessibility requests are made, the Department logs the requests into the Service Request Form (SRF) program database maintained by the Traffic Engineering Division. The division addresses the SRF or forwards the SRF to the appropriate division to assess the request. The Department responds to the requestor and takes action as

necessary. The process is monitored for resolution in the SRF database. The Transportation ADA Coordinator summarizes the complaints and their disposition in an annual report and provides the information to the Disability Access Office for county-wide reporting.

Persons with disabilities are also able to file formal ADA grievances through the USDOJ, USDOT, FHWA, Caltrans, County Clerk of the Board and the County Disability Access Office. Incoming grievances from those sources are forwarded to the Department for resolution.

## **8 - MONITORING AND REPORTING**

The Department's inventory, self-evaluation and transition plan are viewed as living documents continually being updated as new accessible improvements are constructed.

The modification of existing non-compliant curb ramps and the construction of new curb ramps and sidewalks are reported to the GIS database manager by the Construction Division's Inspection Office and Permit Office through the ADA ramp inspection reports completed at the end of each construction project. The Department's goal is to update the GIS database twice a year.

The progress of the ADA compliance program is documented in an annual or semi-annual report prepared by the Transportation ADA Coordinator for approval by the Director of Transportation.

The report is intended to identify information such as: the number of newly constructed curb ramps; number of modified curb ramps; other barrier removals and upgrades to accessibility; number of design exceptions filed that identify technical infeasibility; dollars spent by funding source for the accessibility program; updates on funding availability and the efforts taken by the Department to secure extra funding; efforts toward community outreach; summary of requests/complaints received and how requests/complaints were resolved; evaluation of the targeted goals of the previous year; establishment of targets for the upcoming year; and other information as to the long term progress of the ADA program. The report is retained by the Department for at least three years and is made available to the public in alternate formats upon request.

As approved by the Riverside County Board of Supervisors in the motions to adopt the Plan, the Director of Transportation has the authority to update this Plan from time to time. The most current version of this Plan as adopted by the Department can be obtained by contacting the Transportation ADA Coordinator identified in Section 3.

## **9 - ACKNOWLEDGEMENTS**

### **Riverside County Transportation Department Accessibility Advisors**

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Patricia Romo, PE, Deputy Director of Transportation

Lawrence Tai, TE, Traffic Engineering Division Manager, County Traffic Engineer

Farah Khorashadi, PE, Transportation Planning/ Development Review/ Plan Check  
Engineering Division Manager

Khalid Nasim, PE, Project Development Engineering Division Manager

Hugh Smith, PE, Construction Engineering Division Manager

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Glenn Higa, PE, Program Funding Engineering Division Manager

Roy Null, PE, Transportation Project Manager, Program Funding

Dowling Tsai, PE, TE, Transportation Project Manager, Traffic Engineering

Cathy Wampler, PE, Senior Civil Engineer, Transportation ADA Coordinator

Benjie Cho, PE, Senior Civil Engineer

Richard Fairhurst, Senior Transportation Planner, GIS Database

### **Riverside County Accessibility Advisors**

Tina Grande, Riverside County Executive Office

Elena Boeva, Riverside County Counsel

Sue Birch, SPHR, Human Resources Department, Disability Access Coordinator

Wendy Nelson, Facilities Management Department, Facilities ADA Coordinator

## 10 - ABBREVIATIONS

ADA	Americans with Disabilities Act
ADAAG	Americans with Disabilities Act Accessibility Guidelines (2004)
APS	Accessible Pedestrian Signal
Caltrans	California Department of Transportation
CDBG	Community Development Block Grant
County	County of Riverside
CFR	Code of Federal Regulations
CCR	California Code of Regulations
CVC	California Vehicle Code
Department	Riverside County Transportation Department
DSA	California Division of the State Architect
FHWA	Federal Highway Administration
GIS	Geographic Information System
MUTCD	Manual on Uniform Traffic Control Devices
PAR	Pedestrian Access Route
PE	Professional Engineer (Civil) registered in the State of California
Plan	Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan for Access in the Public Road Right-of-Way prepared by the Riverside County Transportation Department
PROWAAC	Public Rights-of-Way Access Advisory Committee
PROWAG	Public Right-of-Way Accessibility Guidelines, also known as the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (draft 2011)
RCTD	Riverside County Transportation Department
RCTLMA	Riverside County Transportation and Land Management Agency
SRF	Service Request Form Program
SRTS	Safe Route to School – Federal funding program
SR2S	Safe Routes to School – State funding program
State	State of California
TE	Traffic Engineer registered in the State of California
TIP	Transportation Improvement Program
UFAS	Uniform Federal Accessibility Standards (1984)
U.S. Access Board	United States Architectural and Transportation Barriers Compliance Board
USDOJ	United States Department of Justice
USDOT	United States Department of Transportation

## **APPENDICES**

### **For Reference Purposes Only**

## **APPENDIX A**

### **DISABILITY ACCESS LAWS AND REGULATIONS**

Title VI of the landmark Civil Rights Act of 1964 prohibited government agencies from discriminating on the grounds of race, color or national origin. The rights of persons with disabilities were additionally protected under Section 504 of the Rehabilitation Act of 1973 and even further under the Americans with Disabilities Act of 1990 (ADA). Listed below is a summary of federal legislation, state legislation and case law that protect the rights of disabled persons and dictate the development of this Plan.

**Section 504 of the Rehabilitation Act of 1973.** Section 504 is widely recognized as the first civil-rights statute for persons with disabilities, requiring state and local governments that receive federal financial assistance to provide persons with disabilities equal access to government programs, services and activities.

**Americans with Disabilities Act of 1990 (ADA).** The ADA is built upon the foundation laid by Section 504 of the Rehabilitation Act. While Section 504 applies only to entities receiving federal financial assistance, the ADA covers all state and local governments, including those that receive no federal financial assistance. The ADA also applies to private businesses that meet the ADA's definition of "public accommodation" (such as restaurants, hotels, movie theaters and doctor offices), commercial facilities (such as office buildings, factories and warehouses) and many private employers. The ADA is divided into five parts, covering the following areas:

**Title I: Employment.** Under this title, employers, including governmental agencies, must ensure that their practices do not discriminate against persons with disabilities in the application, hiring, advancement, training, compensation, or discharge of an employee.

**Title II: State and Local Government Activities.** This title prohibits state and local governments from discriminating against persons with disabilities or from excluding participation in programs, services or activities to persons with disabilities. A transition plan is intended to outline the methods by which physical changes will be made to address the non-discrimination policies described in Title II. In the event that a public entity has responsibility over streets, roads or walkways, the transition plan is to include a schedule for providing accessible curb ramps or other sloped areas where pedestrians walk across streets. *It is under Title II that this Plan is prepared.* (See Appendix F for the text of Title II "Transition Plan.")

**Title III: Public Accommodations.** Title III requires places of public accommodation to be accessible to and usable by persons with disabilities. The term "public accommodation" as used in the definition is often misinterpreted as applying to public agencies, but the intent of the term is to refer to any privately funded and operated facility serving the public.



**Title IV: Telecommunications.** This Title covers regulations regarding private telephone companies and requires common carriers offering telephone services to the public to increase the availability of interstate and intrastate telecommunications relay services to individuals with hearing and speech impairments.

**Title V: Miscellaneous Provisions.** This title contains several miscellaneous regulations, including construction standards and practices, provisions for attorney's fees, and technical assistance provisions.

**Section 54 of the California Code of Regulations.** In addition to federal regulations, the State of California government code also contains regulations prohibiting discrimination on the basis of disabilities. Section 54 states that "individuals with disabilities or medical conditions have the same right as the general public to the full and free use of the streets, highways, sidewalks, walkways, public buildings, medical facilities, including hospitals, clinics, and physician offices, public facilities, and other public places."

**Title 24 of the California Code of Regulations (CCR).** Title 24, Part 2, also known as the "California Building Code," provides a comprehensive set of state building standards covering accessibility and is designed to comply with the requirements of federal and state statutes. The California design standards are in some cases more stringent than the federal standards.

It should be noted that the ADA has no effect on any state or local regulations that provide protection for individuals with disabilities at a level greater than that provided by the ADA. However, state or local agencies may not provide regulations with less stringent standards than the federal regulations.

**Sections 4454 of the California Government Code.** Section 4454 requires the Division of State Architect ("DSA") to review and approve all plans and specifications for local agency projects that include pedestrian facilities and use state funds. The only exception is for projects within State highway right-of-way, which are reviewed by Caltrans.

**Case Law.** In addition to disability rights legislation, the court cases below have provided clarity for local governments to provide accessible facilities.

***Kinney v. Yerusalim (1993).*** In this case, the court held that alteration projects must incorporate accessible pedestrian improvements at the same time as the alterations to the roadway occur and that the resurfacing of a street with a depth of 0.125 inches constitutes an "alteration."

***Barden v. Sacramento (2002).*** In this case, the court held for the first time that sidewalks constitute a service, program or activity of a public agency and sidewalks

are therefore subject to the ADA Title II program accessibility regulations. Before this ruling it was unclear if local government transition plans should address barrier removal from sidewalks, other than missing or non-compliant curb ramps.

## **APPENDIX B**

### **REGULATORY AGENCIES AND RESOURCES**

**U.S. Department of Justice (USDOJ).** The U.S. Congress has given the USDOJ, through its Civil Rights Division, the authority for enforcing Title II of the ADA and for coordinating other federal agencies' enforcement activities under Title II. The USDOJ published updated Title II and Title III regulations on September 15, 2010. The USDOJ maintains an informational website on ADA regulations, guidelines and updates at: [www.ada.gov](http://www.ada.gov)

**United States Architectural and Transportation Barriers Compliance Board (U.S. Access Board).** Congress established the U.S. Access Board, an independent federal agency, through Section 502 of the Rehabilitation Act of 1973. The U.S. Access Board was tasked with preparing guidelines to standardize physical accessibility requirements for buildings in order to minimize the differences between the standards previously used by four federal agencies (the General Services Administration, the Department of Housing and Urban Development, the Department of Defense and the United States Postal Service). U.S. Access Board guidelines are not enforceable as regulations until adopted, with or without modifications, by the USDOJ and the U.S. Department of Transportation. The U.S. Access Board maintains a website at: [www.access-board.gov](http://www.access-board.gov)

The U.S. Access Board published its first design guidelines, the Uniform Federal Accessibility Standards (UFAS), in 1984.

In 1991, the U.S. Access Board prepared and the USDOJ adopted the Americans with Disabilities Act Accessibility Guidelines (ADAAG) for the design, construction, and alteration of buildings and facilities covered by Titles II and III of the ADA.

Facilities built before January 26, 1992, the effective date of for compliance with ADA accessibility requirements, are referred to as **"pre-ADA" facilities**. A barrier to accessibility in a pre-ADA facility could be removed using either the ADAAG or UFAS, *OR* the program, service or activity could be made accessible by providing "program access." Program access allows the program to be moved to an accessible location, or used some way other than making all architectural changes to make the program, service, or activity readily accessible and usable by individuals with disabilities.

Facilities built or altered after January 26, 1992 are considered **"post-ADA" facilities** and must have been built in strict compliance with either the ADAAG or UFAS and made readily accessible and usable by individuals with disabilities *without* the option for "program access."

On September 15, 2010, the USDOJ published revised accessibility requirements incorporating updates of Titles II and III of the ADA and the U.S. Access Board's 2004 update of the ADAAG. Together, the updated ADA and 2004 ADAAG comprise the

**"2010 ADA Standards for Accessible Design."** Facilities built or altered after March 15, 2012, must use the 2010 Standards. For facilities constructed during the transition period between September 15, 2010 and March 15, 2012, public agencies could use either UFAS, the 1991 Standards, or the 2010 Standards. The 2010 Standards are available through the USDOJ website at:

[http://www.ada.gov/2010ADASTandards\\_index.htm](http://www.ada.gov/2010ADASTandards_index.htm)

Public agencies that have brought required elements of path of travel into compliance with the 1991 Standards are not required to retrofit those elements in order to reflect incremental changes in the 2010 Standards. In these circumstances, the public entity is entitled to a *safe harbor* and is only required to modify elements to comply with the 2010 Standards if the public entity is planning an alteration to the element.

Since accessibility standards had primarily been developed for buildings, it has presented a challenge for state and local governments to apply building standards to public sidewalk and street systems, which have various constraints posed by space limitations, roadway design practices, slope and terrain. To address this need, the U.S. Access Board is in the process of developing new **"public right-of-way accessibility guidelines" (PROWAG)** for pedestrian access to sidewalks and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking and other components of public rights-of-way. The U.S. Access Board released a draft of the "Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way" on July 26, 2011 for public comment. When completed by the U.S. Access Board and adopted by the U.S. Department of Transportation (USDOT) and USDOJ as standards under the ADA and Section 504, they will supersede the currently used standards and criteria. The draft PROWAG is available online at:

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

The U.S. Access Board has also developed proposed accessibility requirements for Outdoor Developed Areas, such as trails and vista points, which are intended to be added to the ADAAG as Section 16. The proposed guidelines are available online at:

<http://www.access-board.gov/outdoor/outdoor-rec-rpt.htm>

**U.S. Department of Transportation (USDOT).** The USDOJ regulations designate the USDOT as the agency responsible for overseeing state and local governments' compliance with Title II of the ADA. The USDOT has adopted its 2006 ADA standards, which utilize the U.S. Access Board's 2004 ADAAG, plus reinstate a requirement for detectable warnings on curb ramps. The 2006 standards also revised three other provisions, concerning the location of accessible routes, bus boarding areas, and rail station platforms, which replace those in the U.S. Access Board's 2004 guidelines. The USDOT regulates transportation systems including highway, railroad, transit, maritime and aviation.

**Federal Highway Administration (FHWA).** The FHWA, a division of the USDOT, is responsible for implementation of pedestrian access requirements in the public right-of-way in accordance with the ADA and Section 504. The FHWA accomplishes this through

stewardship and oversight over all federal, state and local governmental agencies (public agencies) that build and maintain highways and roadways, whether or not they use federal funds on a particular project.

FHWA has published the federal Manual on Uniform Traffic Control Devices (MUTCD) since 1971. The MUTCD defines the standards used by road managers nationwide to install and maintain traffic control devices on all public streets, highways, bikeways, and private roads open to public traffic. These traffic control devices include road markings, highway signs and traffic signals. The 2009 Edition of the MUTCD has an effective date of January 15, 2010. States are required to adopt the 2009 MUTCD as their legal State standard for traffic control devices. States may make modifications to the MUTCD for their state.

**California Division of the State Architect (DSA).** The DSA, a division of the State of California's Department of General Services, has been given authority under Section 4450 of the California Government Code to develop regulations and standards to ensure full accessibility to public and private facilities throughout California. The intent of Title 24, Part 2, of the California Code of Regulations, also known as the "California Building Code," is to prescribe no lesser a standard of accessibility than provided by the federal ADA standards. The DSA also publishes the California Access Compliance Reference Manual, which contains detailed accessibility checklists. The checklists are intended for use by DSA staff and as a resource for design professionals to promote more uniform statewide criteria. These building codes and checklists are available online at:

<http://publicecodes.cyberregs.com/st/ca/st/b200v10/index.htm>

[http://www.documents.dgs.ca.gov/dsa/pubs/checklists\\_rev\\_02-15-11.pdf](http://www.documents.dgs.ca.gov/dsa/pubs/checklists_rev_02-15-11.pdf)

As required by Section 4454, any time that local agencies propose to use state funds (not including federal or local funds) for the construction of pedestrian facilities, the plans and specifications must be reviewed and approved by the DSA with one exception. The one exception is that local agency plans and specifications for pedestrian facilities within the state highway right-of-way can be reviewed and approved by Caltrans in place of DSA.

<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=04001-05000&file=4450-4461>

**California Department of Transportation (Caltrans).** Caltrans is the state agency that regulates the construction, operation and maintenance of facilities within state highway right-of-way. Caltrans has also been designated by the FHWA as the steward of ADA compliance for local agencies within California.

Caltrans requires an entity proposing work or activity with the state highway right-of-way to obtain an encroachment permit from Caltrans. As part of the permit application review process, Caltrans requires that proposed improvements meet accessibility standards.

Caltrans maintains a set of Caltrans Standard Plans, including plans for curb ramps, driveways and accessible parking, which are applicable to highways in state right-of-way and available for use by local agencies in their own jurisdictions. The Caltrans Standard Plans are updated periodically to ensure compliance with both federal and state accessibility standards. See Appendix O for select standard drawings. The full document is available online at:

[http://www.dot.ca.gov/hq/esc/oe/project\\_plans/HTM/stdplns-US-customary-units-new10.htm](http://www.dot.ca.gov/hq/esc/oe/project_plans/HTM/stdplns-US-customary-units-new10.htm)

Caltrans also publishes the State of California's version of FHWA's Manual on Uniform Traffic Control Devices (MUTCD). The 2012 edition of the California MUTCD became effective January 13, 2012 and includes the FHWA's MUTCD 2009 edition. Select sections of the California MUTCD regarding ADA requirements for pushbuttons can be found at Appendix Q. The full document is available online at:

[http://www.dot.ca.gov/hq/traffops/signtech/mutcdsupp/ca\\_mutcd2012.htm](http://www.dot.ca.gov/hq/traffops/signtech/mutcdsupp/ca_mutcd2012.htm)

**Riverside County Transportation Department (Department).** The Department regulates the construction, operation and maintenance of facilities in the unincorporated County public road right-of-way, including work and activities performed by the Department and others. Others may include other County departments, other public agencies, transit agencies, utility companies, private developers, private organizations and private individuals. The Department requires the review and issuance of an encroachment permit to others who intend to perform any work or activity within the public road right-of-way. If the work includes substantial construction, the Department also requires the plan check and approval of design plans, including the application of federal, state and local accessibility standards to pedestrian facilities, prior to the issuance of a permit.

The Department maintains a set of Road Improvement Standards adopted by the Riverside County Board of Supervisors as Ordinance 461. The standard plans for sidewalk, curb ramps and driveways are updated periodically to ensure compliance with both federal and state accessibility standards. See Appendix P for the applicable County standard plans. The full document is available online at:

[http://www.rctlma.org/trans/land\\_dev\\_ord\\_461.html](http://www.rctlma.org/trans/land_dev_ord_461.html)

Where on-street parking is marked or metered, the Department will provide a number of accessible parking spaces in accordance with the table provided in the PROWAG. Under County Ordinance 413, the designation of such spaces requires a resolution to be adopted by the Riverside County Board of Supervisors. County Ordinance 413 regulating vehicle parking at Section 1.14 "Spaces Marked for Handicapped Parking" is available online at:

<http://rivcocob.com/ords/400/413.31.pdf>

## **APPENDIX C**

### **DISABILITIES AND ACCOMMODATING ACCESSIBILITY**

**Defining Disabilities.** Under the ADA, a qualified individual with a disability is defined as: 1) a person who has a physical or mental impairment that substantially limits one or more major life activities, 2) a person who has a history or record of such impairment, or 3) a person who is perceived by others as having such impairment. The ADA does not specifically name all of the impairments that are covered. In general, an impairment would be considered to substantially limit a major life activity if it affected caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating or working. The State of California also defines "physical disability" and "mental disability" in Section 12926 of the California Government Code.

**Accommodating Accessibility.** The Department's accommodation of persons with disabilities with regard to effective communication, and the different types of auxiliary aids and services that may be available for different types of disabilities, was discussed previously in Section 4 of the Plan.

Regarding accessibility in the public road right-of-way, the ADA and Section 504 do not require public agencies to provide pedestrian facilities. However, where pedestrian facilities exist they must be accessible to persons with disabilities.

The two primary areas of disabilities that are accommodated in pedestrian facility design are mobility and visual impairments, but hearing and mental impairments can also be addressed through design.

**Mobility.** A mobility impairment is a condition that substantially limits an individual's ability to move his or her body. An individual with a mobility disability may use a wheelchair or motorized scooter, or may be semi-ambulatory and use a walker. Public agencies can facilitate the use of pedestrian facilities by persons with mobility disabilities by implementing some of the following design features: installing curb ramps where sidewalks intersect streets; minimizing longitudinal slopes in ramps; providing flat landings at the tops of ramps for wheelchairs to turn around; minimizing cross slopes of the pedestrian way; establishing minimum clear widths of pedestrian paths; maintaining pedestrian paths substantially clear of street furniture, signs, poles and fire hydrants; eliminating abrupt level changes within the pedestrian path of travel; providing firm, stable and slip-resistant surfaces along the pedestrian path of travel; and placing pedestrian signal push buttons at accessible locations.

**Visual.** A visual impairment can include full or partial loss of sight. Public agencies can facilitate the use of pedestrian facilities by persons with visual disabilities by implementing some of the following design features: installing detectable warning surfaces of contrasting color signaling where a pedestrian path enters the vehicular roadway; installing grooves in the sidewalk to signal the beginning of a curb ramp;

maintaining a pedestrian path substantially clear of street furniture, signs, poles and fire hydrants; eliminating abrupt level changes within the pedestrian path; providing firm, stable and slip-resistant surfaces along the pedestrian path of travel; providing clear and simple signage utilizing symbols and pictograms; providing audible pedestrian signals; and placing pedestrian signal push buttons at accessible locations.

**Hearing.** A hearing impairment can include full or partial loss of hearing. Public agencies can facilitate the use of pedestrian facilities by persons with hearing disabilities by implementing some of the following design features: providing clear sightlines; providing clear visual information; providing clear and simple signage utilizing symbols and pictograms; and providing audible information louder than the ambient street noise.

**Mental.** A mental impairment is a mental or psychological disorder. Examples include mental retardation, emotional or mental illness, or organic brain syndrome. Public agencies can facilitate the use of pedestrian facilities by persons with mental disabilities by implementing some of the following design features: providing clear and simple signage utilizing symbols and pictograms; providing clear audible and visual signals; and providing a clear path of travel.



## **APPENDIX D**

### **TECHNICAL REQUIREMENTS**

Shown below is a summary of key accessibility design requirements as it relates to pedestrian facilities in the County of Riverside. The source of these design requirements, as well as reference diagrams, can be found in the technical publications listed in Appendix B.

**Curb Ramps.** The term "curb ramp" is often used interchangeably with "access ramp," "ADA ramp" or "curb cut." The most common types of curb ramps are: the diagonal corner curb ramp at street intersection corners (Riverside County Standard No. 403 - Type A); the parallel curb ramp that runs parallel to the curb either at a curb return (Riverside County Standard No. 403 - Type B) or a straight stretch of sidewalk (Riverside County Standard No. 403 - Type C) and usually takes up the whole width of the sidewalk; the curb ramp with full-height return curbs instead of flared sides (Riverside County Standard No. 403 - Type D); the built-up ramp where the ramp is elevated within the street; the blended curb where the top of curb and street surface are at the same grade; and dual curb ramps at street intersection corners. Blended curbs and the built-up ramp are not the standard for new construction in the County of Riverside, but may be used on a case-by-case basis in retrofit situations where approved by the Director of Transportation. (Copies of the Department's standard drawings for curb ramps can be found in Appendix P.)

Dual curb ramps are preferred by some public agencies. For instance, dual curb ramps are the standard design within Caltrans' state right-of-way even though not currently required by ADA or Title 24. Although the County standard previously specified dual curb ramps several decades ago, this is not currently the preferred curb ramp design. County experience has found that dual ramps often pose conflicts with traffic signal equipment and create multiple grade transitions that could pose tripping hazards for all pedestrians. If dual curb ramps are adopted by the USDOJ and USDOT as the preferred intersection corner treatment for curb ramps in the PROWAG, then the Department will need to revisit its design policy.

To comply with accessibility requirements, curb ramps must meet specific minimum standards for width, slope, cross slope, placement and other features. Some California Title 24 requirements are more strict than the ADAAG requirements. For example, under federal ADA accessibility guidelines the ramp may be 36 inches wide. However, under Title 24 ramps must be a minimum of 48 inches wide. Where there is a difference between federal and state requirements, the greater accessibility requirements must be used. Listed below is a summary of some of the curb ramp design standards. An asterisk (\*) below indicates California's stricter standard has been applied.

- Ramp width (not including flared sides) is 48 inches minimum.\*
- Ramp slope is 8.33% maximum.\*
- Cross slope is 2% maximum.

- Flared sides are 10% maximum.
- Clear landing width at the top of a ramp is 48 inches by 48 inches minimum.\*
- Clear landing width at the bottom of a parallel curb ramp is 60 inches by 60 inches minimum.\*
- 12 inch-wide grooved border is placed within the level sidewalk around the top edge and flared sides of the ramp.
- Transition of the ramp at the gutter is flush (without a lip).
- Slope of the roadway from the gutter flow line to 4 feet into the roadway is 5% maximum.
- Ramp is within the limits of a marked crosswalk.
- Detectable warning surface is the full width of the at-grade section at the entrance to a vehicular way with a 36 inches minimum depth.\*

**Detectable Warning Devices.** A detectable warning device alerts pedestrians who are blind or have low vision that they need to stop and determine the nature of the hazard, such as whether there is passing traffic, before continuing on their way. The warning devices are intended to be integrated into the walking surface to be felt with pedestrians' feet and to function much like stop signs. A detectable warning device typically consists of a series of small bumps (or truncated domes) that contrast in color with the surrounding sidewalk. There are products available on the market that consist of a polymer panel with preformed truncated domes that are set into wet concrete for new ramps or applied to an existing concrete surface with glue or bolts in retrofit situations. These are often referred to as "truncated dome panels." The truncated dome panels must be placed in advance of all at-grade entrances to a vehicular way, typically in alignment with the back-of-curb or face-of-curb.

Although detectable warning devices were originally required by ADAAG in 1991, a suspension was placed on detectable warnings for 10 years in order to conduct research on their effectiveness. Upon the expiration of the suspension, July 26, 2001, detectable warnings again became mandatory.

Although the ADA does not specify a required color for the truncated dome panels, other than to require a light-on-dark or dark-on-light contrast between the panel and the surrounding ramp surface, the Department specifies the consistent use of yellow, unless otherwise approved by the Director of Transportation on a case-by-case basis.

Per the preliminary PROWAG, detectable warning surfaces should not be provided at crossings of residential driveways since the pedestrian right-of-way continues across residential driveway aprons. However, where commercial driveways are provided with yield or stop control, detectable warning surfaces may be considered at the junction between the pedestrian route and the vehicular route.

Detectable warning surfaces are not required at cut-through pedestrian refuge islands that are less than 6.0 feet in length because detectable warning surfaces must extend 2.0 feet minimum on each side of the island and be separated by 2.0 feet minimum

length of island without detectable warning surfaces. Installing detectable warning surfaces at cut-through pedestrian islands that are less than 6.0 feet in length would compromise the effectiveness of detectable warning surfaces. Where a cut-through pedestrian refuge island is less than 6.0 feet in length and the pedestrian street crossing is signalized, the signal should be timed for a complete crossing of the street.

The USDOT is currently proposing a revision to the design requirements for the detectable warnings. Under this design, detectable warnings would extend the whole width of the ramp, but cover only the 2 feet of the ramp closest to the street. The State of California Title 24 requirement is for detectable warnings to cover the 3 feet of the ramp closest to the street. Since the State requirement is more stringent, the State requirement currently prevails.

**Detectable Warning Curbs.** Detectable warning curbs are used to warn persons with visual disabilities using a cane of potential hazards. For instance, a detectable warning curb can be placed at the edge of a sidewalk with a significant drop off (4 inch or more drop in a 24 inch horizontal distance), at the edge of tree well drop offs, or at locations of overhanging obstacles with less than an 80 inches clear height or objects protruding more than 4 inches.

**Width of Pedestrian Path of Travel.** The width of the pedestrian path of travel is 60 inches preferred and 48 inches minimum. The top of curb width cannot be included in the measurement of the minimum width. A 60 inch by 60 inch clear space should be provided for every 200 lineal of sidewalk in order for wheelchairs to pass or turn around. The County's standard sidewalk width for right-of-way adjacent sidewalks is 60 inches. The County's standard sidewalk width for curb-adjacent sidewalk is 72 inches measured from street flow line to back-of-walk, which provides a clear distance of 64 inches.

**Minimum Width around Obstacles.** Objects, such as street lights, utility poles, utility cabinets, fire hydrants, sign posts, signs, parking meters, trash receptacles, public telephones, mailboxes, newspaper stands, benches, transit shelters, kiosks, bicycle racks, planters, trees, street sculptures and opening doors, should be avoided in the pedestrian path of travel. Where obstacles exist, they must not reduce the minimum width of the pedestrian path of travel as determined by state and federal standards. The current federal minimum width around obstacles is 32 inches for short distances of 24 inches or less in the direction of travel. The current state minimum width is 36 inches. Therefore, the state requirement of 36 inches prevails. As part of the development of the draft PROWAG, the federal minimum width is proposed to be increased to 48 inches. If and when adopted, the 48 inch requirement would supersede all other state and federal requirements.

**Protruding Objects.** Objects with leading edges between 27 inches and 80 inches above the finish surface shall protrude no more than 4 inches horizontally into pedestrian walkways. Post-mounted objects with a bottom edge between 27 inches and 80 inches above the finish surface may overhang no more than 12 inches. Objects, including their overhang, must not reduce the required minimum width of the pedestrian path of travel. Vertical clearance shall be 80 inches high minimum.

**Cross Slope of the Pedestrian Path of Travel.** The cross slope of the pedestrian path of travel may not exceed 2%.

**Longitudinal Slope of the Pedestrian Path of Travel.** The longitudinal slope of the pedestrian route of travel may follow the grade of the adjacent street. Where the pedestrian access route is not contained within the road right-of-way, the grade of the pedestrian access route is limited to 5% maximum.

**Surfaces.** The surface material of pedestrian access routes shall be firm, stable, and slip-resistant. Decorative surfaces utilizing bricks, concrete pavers, cobble stones or stamped concrete shall have a maximum of ¼ inch change in elevation every 30 inches and shall be designed to avoid excessive vibration or mobility difficulties for persons in wheelchairs. Where there is a change of surface material along the pedestrian path of travel, consideration should be given so that there are no abrupt changes in level.

**Changes in Level.** Abrupt changes in level create potential tripping hazards and obstacles for persons with mobility disabilities. Abrupt level changes in the pedestrian route of travel shall be no more than 0.25 inch. Abrupt changes in level more than 0.25 inch but less than 0.50 inch may be repaired with a 2:1 bevel. No abrupt level changes of more than 0.50 inch (with the bevel) are allowed along the path of travel.

If the adjoining ground at the back of walk is below the sidewalk finished surface, then there must be a 2 foot level area with not more than a 4 inch drop. If the ground drops more than 4 inches in 2 feet, then a 6 inch high detectable warning curb shall be installed at the back of curb. If the level change between the pedestrian path of travel and the adjacent surface exceeds 30 inches, then a hand rail or guard must be installed.

**Hand Rails.** The top of the gripping surface of a handrail shall be 2.8 feet minimum and 3.2 feet maximum vertically above the walking surface. The handrail gripping surface shall have an outside diameter of 1.25 inches minimum and 2 inches maximum.

**Grates.** Grates, such as those for drainage or tree wells, shall be avoided in the pedestrian path of travel. Drainage grates shall especially be avoided within the limits of marked crosswalks. Where located in the pedestrian path of travel, horizontal openings shall be no more than ½ inch in the direction of travel.

**Median Islands.** The clear width of pedestrian access routes within medians and pedestrian refuge islands shall be 5.0 feet wide minimum. Medians with short lengths should utilize curb cuts without the use of ramps. Detectable warning surfaces, 36 inches long each, should be provided at the entry and exit of median islands that are 8.0 feet long or more. Detectable warning surfaces, 24 inches feet long each, should be provided at the entry and exit of median islands that are between 8.0 and 6.0 feet long. No detectable warning surfaces should be placed where medians are less than 6.0 feet long.

**Traffic Signs and Pavement Markings.** Traffic signs and pavement markings shall conform to the California Manual of Uniform Traffic Control Devices (MUTCD) guidelines.

**Marked Crosswalks and Slopes.** Marked crosswalks shall provide for a 10 foot minimum inside width and 12 foot minimum outside width. A minimum of 4.0 feet shall be provided between the flow line of the diagonal curb ramp and the inside edge of the marked crosswalk. The longitudinal slope of crosswalks in new construction should be 5% maximum. The cross slope of crosswalks in new construction should be 2% preferred. The cross slope of crosswalks in new construction without yield or stop-controlled intersections may be 5% maximum. The cross slope of mid-block crosswalks is allowed to equal the street grade.

**Unmarked Crosswalks.** In accordance with the California Vehicle Code, crosswalks, whether marked or not, are provided at all street intersections, including T-intersections. Where pedestrian facilities are provided, curb ramps shall be provided at all corners and across from T-intersections in accordance with County Standard No. 403(C).

**Pedestrian Signals.** When new pedestrian signals are installed, they must be accessible. The pedestrian activated pushbutton size shall be a minimum of 2-inch diameter and operable using less than 5 pounds of force. Pushbuttons shall be placed: no more than 48 inches above and 15 inches from the adjacent paved clear space that is 30 inch by 48 inch minimum; a maximum of 5 feet from the outside edge of the marked crosswalk; and a maximum distance of 6 feet from the edge of curb, shoulder or pavement. The distance between two pedestrian pushbuttons shall be 10 feet minimum. The clear space shall have the same running slope as adjacent pedestrian access route and a maximum of 2% cross slope. See Appendix Q for exhibits from the MUTCD.

**On-Street Parking Spaces.** Where on-street parking is marked or metered, a number of accessible parking spaces shall be provided in accordance with the table provided in the PROWAG. The design standards follow Caltrans Standard Plans A90A and A90B. Under County Ordinance 413, the designation of such spaces requires a resolution to be adopted by the Riverside County Board of Supervisors.

**Transit Stops.** Bus boarding and alighting areas shall provide a clear length of 96 inches measured perpendicular to the curb or vehicle roadway edge, and a clear width of 60 inches measured parallel to the vehicle roadway. A clear floor wheelchair space of 30 inches by 48 inches shall be placed within the bus stop shelter. Bus turnouts, if provided, shall follow County Standard No. 814. Where feasible, sidewalk connectivity should be provided street intersections to transit stops.

**Railroad Crossings.** Detectable warning surfaces shall be located so that the edge nearest the rail crossing is 6 feet minimum and 15 feet maximum from the centerline of the nearest rail. Openings for wheel flanges shall be permitted to be 2.5 inches maximum.

**Trails and Vista Points.** Accessibility requirements for trails are based on the function of the trail. Shared use paths and pedestrian trails that function as *sidewalks* shall meet the same requirements as sidewalks, including detectable warnings at street crossings. Shared use paths and pedestrian trails that function as *trails* should meet the accessibility guidelines as currently proposed by the U.S. Access Board for Outdoor Developed Areas. Recreational trails primarily for equestrians, mountain bicyclists, snowmobile users, or off-highway vehicle users, are *exempt* from accessibility requirements even though they have occasional pedestrian use. Most trailside and trailhead structural facilities (parking areas, restrooms) must meet accessibility requirements. Vista points off accessible trails or roadways should have accessible viewing areas. It should be noted that other trail users, such as bicyclists and skaters, may have design needs which exceed the minimum guidelines for accessibility.

**Temporary Pedestrian Path in Construction Zones.** When a pedestrian circulation path is temporarily closed by construction, alterations, maintenance operations, or other conditions, an alternate pedestrian access route shall be provided in accordance with the MUTCD.

**Conventional Industry Tolerances.** unless otherwise specified, dimensions are subject to conventional industry tolerances except where dimensions are stated as a range.

## **APPENDIX E**

### **REQUIRED IMPROVEMENTS AND EXCEPTIONS**

**Elimination of Barriers.** When curb returns are located at street intersection corners, the curb presents a barrier for persons with mobility impairments to cross the street. The ADA specifies that when roads or sidewalks are *newly built* or *altered*, curb ramps must be installed concurrently to eliminate these barriers.

To address existing curb barriers at locations where no new construction or alterations are immediately proposed, the ADA requires a public agency to prepare a Transition Plan to schedule the elimination of all existing curb barriers at intersections where there are no curb ramps or where existing curb ramps do not meet current accessibility standards.

**Distinction between Alterations and Maintenance.** Since public agencies are required to remedy access barriers concurrently with *new* or *altered* improvements, but not with routine *maintenance* activities, there has been a need to clarify the distinction between *alterations* and *maintenance*.

Alteration projects include reconstruction, major rehabilitation, structural resurfacing of 0.125 feet or greater depth, widening, traffic signal installation, pedestrian signal installation and projects of similar scale and effect. Alteration projects must incorporate accessible pedestrian improvements at the same time as the alterations to the roadway occur per *Kinney v. Yerusalim*.

Maintenance activities are not considered alterations and do not require simultaneous improvements for pedestrian accessibility under the ADA and Section 504. Examples of maintenance activities include thin surface overlays (nonstructural improvements such as a fog seal, slurry seal or chip seal), joint repair, pavement patching (filling potholes), shoulder repair, signing, striping, minor signal upgrades and repairs to drainage facilities.

**Design Standards and Exceptions.** Minimum design criteria for accessible pedestrian facilities have been established and published by several regulatory agencies as described in Appendix B. A summary of the technical standards as they apply to pedestrian facilities in the County's public road right-of-way is discussed in Appendix D.

Under Title II, public agencies are *not* required to construct standalone accessibility improvements identified in an agency's Transition Plan that would result in *undue financial and administrative burdens*. They are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would *fundamentally alter the nature of the service, program, or activity* being provided, or if the modification of a barrier to accessibility would *threaten or destroy the historic significance of a qualified historic building or facility*, or would be *technically infeasible or structurally impracticable*.

**Cost as a Factor.** The applicability of the "undue burden" defense is limited to *existing* facilities, and not to *new* or *altered* improvements.

Cost may be a factor in determining whether to undertake a stand-alone accessibility improvement identified in a Transition Plan. For example, if an existing highway, not scheduled for an alteration, is listed in the public agency's Transition Plan as needing curb ramps, the public agency may consider costs that are "unduly burdensome."

The test for being unduly burdensome is the proportion of the cost for accessibility improvements compared to the agency's overall budget, not simply the project cost.

In contrast, the regulations concerning *new construction* and *alterations* are substantially more stringent. With respect to any element of *new* or *altered* improvements that is within the scope of a project and is not technically infeasible, the U.S. Department of Justice's written guidance provides that "*cost is not a factor.*" When a public entity independently decides to alter a facility, it shall, to the maximum extent feasible, be altered in such a manner that the altered portion of the facility is readily accessible to and usable by individuals with disabilities.

The Unfunded Mandates Reform Act of 1995 excludes from coverage any proposed or final Federal regulation that "establishes or enforces any statutory rights that prohibit discrimination on the basis of race, color, religion, sex, national origin, age, handicap, or disability." Therefore, compliance with ADA regulations is not subject to the provisions of the Unfunded Mandates Reform Act.

**Qualified Historic Facilities.** A qualified historic facility is one that is listed in the National Register of Historic Places or designated as historic under an appropriate state or local law. Where the authorized Historic Preservation Officer determines that compliance with an accessibility requirement would threaten or destroy historically significant features of a qualified historic facility, compliance is still required to the extent that it does not threaten or destroy historically significant features of the facility.

**Technical Infeasibility/Structural Impracticability.** According to Title II, compliance is considered technically infeasible in those rare circumstances when the unique characteristics of terrain prevent the incorporation of accessibility features. In that case, any portion of the facility that can be made accessible will need to be made accessible to the extent that it is not technically infeasible or structurally impracticable. Furthermore, if accommodating access for individuals with certain disabilities (e.g., those who use wheelchairs) would be technically infeasible, accessibility shall nonetheless be ensured to persons with other types of disabilities (e.g., those who have sight, hearing or mental impairments).

For example, if a curb ramp is required along a street with curb-adjacent sidewalk where the street grade is approximately 8%, then installing an 8.33% curb ramp would be



impractical. In such a case, the public agency would still install a curb ramp, albeit steeper, because a steeper ramp would be preferred over no ramp at all.

Existing physical constraints may include underlying terrain, underground structures, adjacent developed facilities, drainage or the presence of a notable natural or historic feature.

## **APPENDIX F**

### **TEXT FROM ADA TITLE II REGULATIONS**

The ADA Title II Regulations, 28 CFR Part 35, requires public entities to evaluate its current services, policies and practices to ensure persons with disabilities are protected from discrimination on the basis of disability. Selected sections of 28 CFR Part 35 are shown below describing the requirements for non-discrimination, self-evaluation, transition plan, ADA coordinator, grievance procedure, and notice. ("....." indicates gaps in text.) The full text can be found at:

[http://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_withbold.htm](http://www.ada.gov/regs2010/titleII_2010/titleII_2010_withbold.htm)

#### **ADA Title II Regulations – Nondiscrimination on the Basis of Disability in State and Local Government Services (28 CFR Part 35; amended September 15, 2010; effective March 15, 2011)**

##### **§ 35.101 Purpose.**

The purpose of this part is to effectuate subtitle A of title II of the Americans with Disabilities Act of 1990 (42 U.S. C. 12131), which prohibits discrimination on the basis of disability by public entities.

.....

##### **§35.105 Self-evaluation.**

- (a) A public entity shall, within one year of the effective date of this part, evaluate its current services, policies, and practices, and the effects thereof, that do not or may not meet the requirements of this part and, to the extent modification of any such services, policies, and practices is required, the public entity shall proceed to make the necessary modifications.
- (b) A public entity shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments.
- (c) A public entity that employs 50 or more persons shall, for at least three years following completion of the self-evaluation, maintain on file and make available for public inspection:
  - (1) A list of the interested persons consulted;
  - (2) A description of areas examined and any problems identified; and
  - (3) A description of any modifications made.
- (d) If a public entity has already complied with the self-evaluation requirement of a regulation implementing section 504 of the Rehabilitation Act of 1973, then the requirements of this section shall apply only to those policies and practices that were not included in the previous self-evaluation.

##### **§35.106 Notice.**

A public entity shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of this part and its applicability

to the services, programs, or activities of the public entity, and make such information available to them in such manner as the head of the entity finds necessary to apprise such persons of the protections against discrimination assured them by the Act and this part.

§ 35.107 Designation of responsible employee and adoption of grievance procedures.

- (a) Designation of responsible employee. A public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to it alleging its noncompliance with this part or alleging any actions that would be prohibited by this part. The public entity shall make available to all interested individuals the name, office address, and telephone number of the employee or employees designated pursuant to this paragraph.
- (b) Complaint procedure. A public entity that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by this part.

§ 35.130 General prohibitions against discrimination.

- (a) 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.

.....

§ 35.150 Existing facilities

- (a) General. A public entity shall operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is *readily accessible* to and usable by individuals with disabilities. This paragraph does not—
  - (1) Necessarily require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities;
  - (2) Require a public entity to take any action that would *threaten or destroy the historic significance of an historic property*; or
  - (3) Require a public entity to take any action that it can demonstrate would *result in a fundamental alteration in the nature of a service, program, or activity* or in *undue financial and administrative burdens*. In those circumstances where personnel of the public entity believe that the proposed action would fundamentally alter the service, program, or activity or would result in undue financial and administrative burdens, a public entity has the burden of proving that compliance with §35.150(a) of this part would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the head of a public entity or his or her designee after considering all resources available for use in the funding and operation of the service, program, or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action would result in such

an alteration or such burdens, a public entity shall 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 or services provided by the public entity.

(b) Methods.

.....

(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 (UFAS), Appendix A to 41 CFR part 101-19.6 (July 1, 2002 ed.), 49 FR 31528, app. A (Aug. 7, 1984) are not required to be modified in order to comply with the requirements set forth in the 2010 Standards.

.....

(d) Transition plan.

- (1) In the event that structural changes to facilities will be undertaken to achieve program accessibility, a public entity that employs 50 or more persons shall develop, within six months of January 26, 1992, a transition plan setting forth the steps necessary to complete such changes. A public entity shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments. A copy of the transition plan shall be made available for public inspection.
- (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.
- (3) The plan shall, at a minimum --
  - (i) Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities;
  - (ii) Describe in detail the methods that will be used to make the facilities accessible;
  - (iii) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and
  - (iv) Indicate the official responsible for implementation of the plan.
- (4) If a public entity has already complied with the transition plan requirement of a Federal agency regulation implementing section 504 of

the Rehabilitation Act of 1973, then the requirements of this paragraph (d) shall apply only to those policies and practices that were not included in the previous transition plan.

§ 35.151 New construction and alterations

(a) Design and construction.

(1) Each facility or part of a facility constructed by, on behalf of, or for the use of a public entity shall be designed and constructed in such manner that the facility or part of the facility is *readily accessible* to and usable by individuals with disabilities, if the construction was commenced after January 26, 1992.

(2) Exception for structural impracticability.

(i) Full compliance with the requirements of this section is not required where a public entity can demonstrate that it is structurally impracticable to meet the requirements. Full compliance will be considered structurally impracticable only in those rare circumstances when the unique characteristics of terrain prevent the incorporation of accessibility features.

(ii) If full compliance with this section would be structurally impracticable, compliance with this section is required to the extent that it is not structurally impracticable. In that case, any portion of the facility that can be made accessible shall be made accessible to the extent that it is not structurally impracticable.

(iii) If providing accessibility in conformance with this section to individuals with certain disabilities (e.g., those who use wheelchairs) would be structurally impracticable, accessibility shall nonetheless be ensured to persons with other types of disabilities, (e.g., those who use crutches or who have sight, hearing, or mental impairments) in accordance with this section.

(b) Alterations.

(1) Each facility or part of a facility altered by, on behalf of, or for the use of a public entity in a manner that affects or could affect the usability of the facility or part of the facility shall, to the maximum extent feasible, be altered in such manner that the altered portion of the facility is readily accessible to and usable by individuals with disabilities, if the alteration was commenced after January 26, 1992.

(2) The path of travel requirements of § 35.151(b)(4) shall apply only to alterations undertaken solely for purposes other than to meet the program accessibility requirements of § 35.150.

.....

(c) Accessibility standards and compliance date.

.....

## Appendix to § 35.151(c)

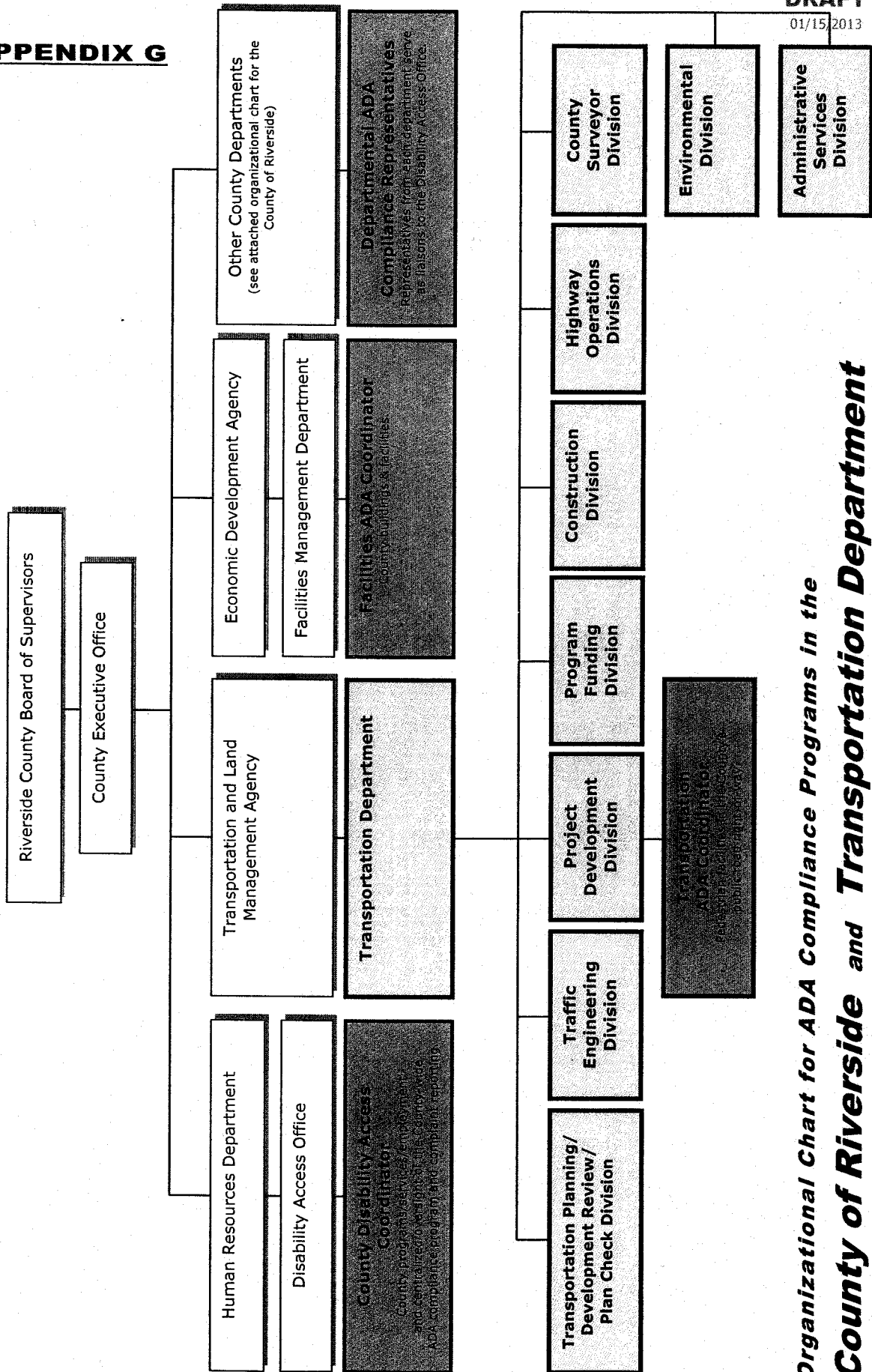
<b>Compliance Date for New Construction or Alterations</b>	<b>Applicable Standards</b>
Before September 15, 2010	1991 Standards or UFAS
On or after September 15, 2010, and before March 15, 2012	1991 Standards, UFAS, or 2010 Standards
On or after March 15, 2012	2010 Standards

(i) *Curb ramps.*

- (1) Newly constructed or altered streets, roads, and highways must contain curb ramps or other sloped areas at any intersection having curbs or other barriers to entry from a street level pedestrian walkway.
- (2) Newly constructed or altered street level pedestrian walkways must contain curb ramps or other sloped areas at intersections to streets, roads, or highways.

.....

## APPENDIX G

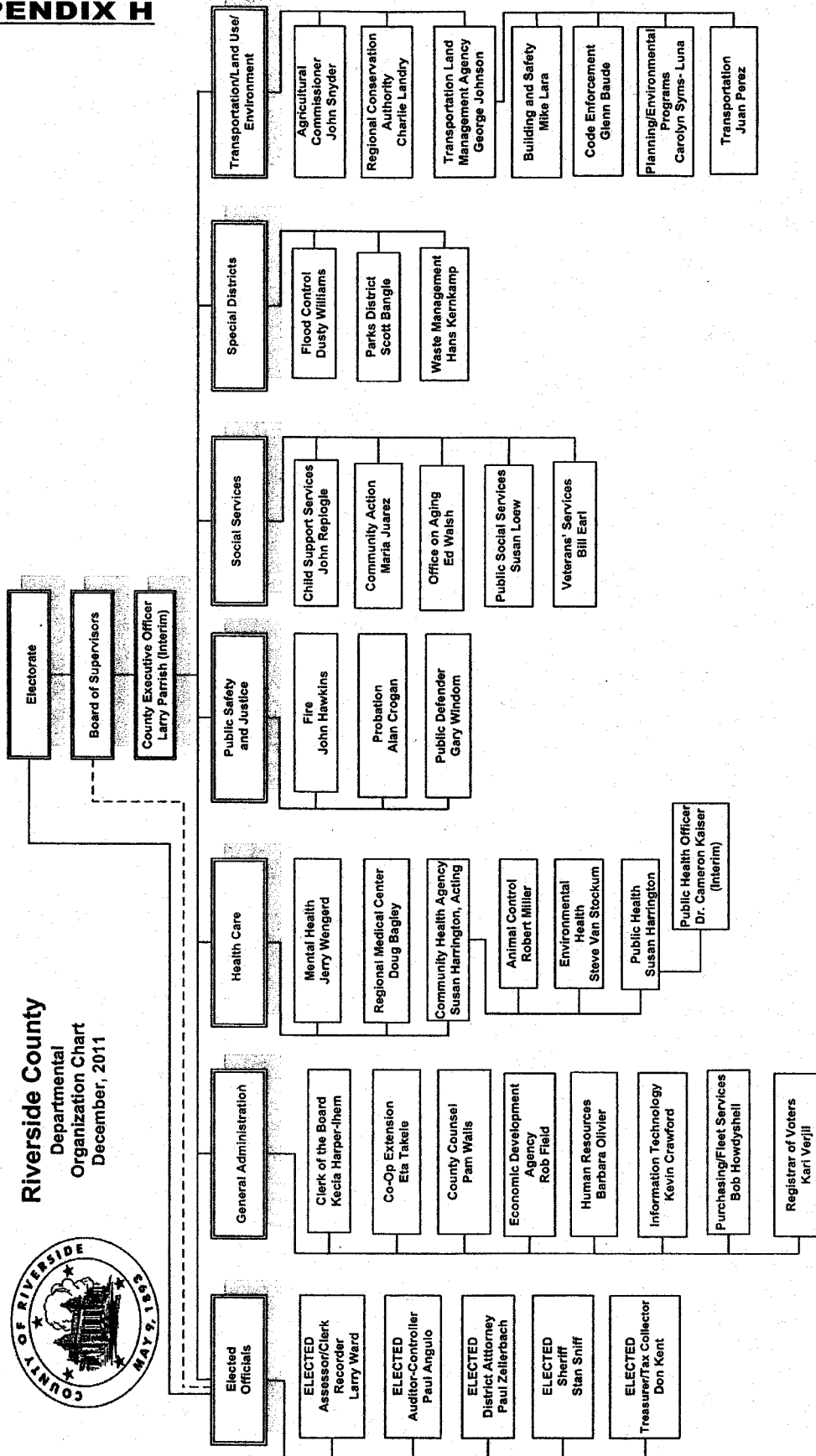


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01/15/2013

### *Organizational Chart for ADA Compliance Programs in the County of Riverside and Transportation Department*

# APPENDIX H



## Organizational Chart for the County of Riverside



**APPENDIX I****COUNTY OF RIVERSIDE NON-DISCRIMINATION NOTICE UNDER ADA****DISABILITY ACCESS & NONDISCRIMINATION**

The County of Riverside does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services or activities. It is committed to ensuring that its programs, services, and activities are fully accessible to and usable by people with disabilities.

The County of Riverside does not discriminate on the basis of disability in its hiring or employment practices. It is committed to ensuring that there is no discrimination in any terms, conditions or privileges of employment.

To coordinate compliance efforts, the Board of Supervisors established a County Disability Access Coordinator position within the Human Resources (HR) Department.

**Sue Birch, SPHR**  
**Disability Access Coordinator**  
Disability Access Office – Human Resources  
P.O. Box 1569  
Riverside, CA 92502-1569

Voice: (951) 955-5663  
TTY: (951) 955-8688  
FAX: (951) 955-0385  
E-mail: [ADA@rc-hr.com](mailto:ADA@rc-hr.com)

Complaints, concerns or recommendations regarding public access to any of the County of Riverside's programs, services and activities should be directed to the Disability Access Coordinator.

Complaints, concerns, or recommendations regarding disability discrimination in County of Riverside hiring or employment practices should be directed to the Disability Access Coordinator or the HR Department (951) 955-3510.

This notice is provided as required by Title II of the Americans with Disabilities Act (ADA) of 1990. It is available in alternative formats from the Disability Access Coordinator.

Rev. 2/12



## ACCESO A PERSONAS DISCAPACITADAS SIN DISCRIMINACION

El Condado de Riverside no discrimina en base a su discapacidad, la admisión a, acceso a, u operaciones de sus programas, servicios, o actividades. El Condado de Riverside está comprometido a asegurar que sus programas, servicios, y actividades sean completamente accesibles y disponibles para las personas con discapacidad.

El Condado de Riverside no discrimina a las personas en base a su discapacidad en sus contrataciones o prácticas de empleo. El Condado está comprometido a asegurar que no haya discriminación en ningún término, condiciones o privilegios de empleo.

Para coordinar los esfuerzos de conformidad, la Junta de Supervisores ha establecido el cargo de Coordinador de Conformidad de Discapacidad del Departamento de Recursos Humanos (HR).

**Sue Birch, SPHR**  
**Coordinador de Conformidad de Discapacidad**  
**Acceso A Personas Discapacitada Oficina**  
**Apartado Postal 1569**  
**Riverside, CA 92502-1569**

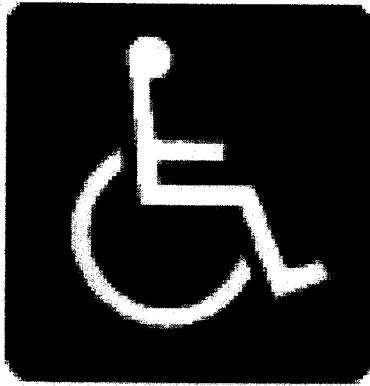
**Teléfono :** (951) 955-5663  
**FAX:** (951) 955-0385  
**TTY:** (951) 955-8688  
**E-mail:** [ADA@rc-hr.com](mailto:ADA@rc-hr.com)

Quejas, preguntas o recomendaciones, referente al acceso público de cualquiera de los programas, servicios y actividades del Condado de Riverside, deben ser dirigidas al Coordinador de Conformidad de Discapacidad.

Quejas, preguntas o recomendaciones, referente a la discriminación de personas discapacitadas en su contratación o prácticas de empleo en el Condado de Riverside, deben ser dirigidas al Departamento de Recursos Humanos (HR) (951) 955-3510 ó al Coordinador de Conformidad de Discapacidad.

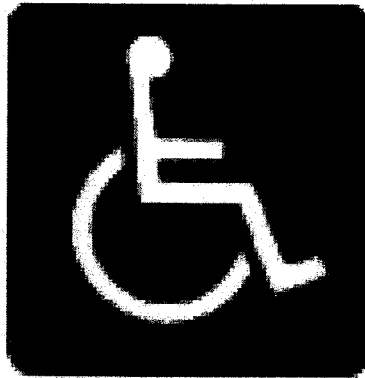
Este aviso se proporciona para cumplir con los requerimientos del Título II del ADA – *Acto de los Americanos con Discapacidad* - de 1990. Está disponible en otros formatos en la oficina del Coordinador de Conformidad de Discapacidad.

Rev. 2/12



# **Assistance Available Upon Request**

Rev. 2/12



# **Se Puede Pedir Asistencia**

Rev. 2/12

**APPENDIX J****COUNTY OF RIVERSIDE ADA COMPLAINT RESOLUTION PROCEDURE****County of Riverside  
ADA Complaint Resolution Procedure**

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This Complaint Resolution Procedure is established to meet the requirements of the Americans with Disabilities Act. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs, or benefits by the County of Riverside.

The complaint should be in writing and contain information about the alleged discrimination such as

- name,
- address,
- phone number of complainant

and

- location,
- date,
- description of the problem.

Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

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

**County of Riverside – Human Resources  
Disability Access Coordinator  
P.O. Box 1569  
Riverside, CA 92502-1569**

Main (951) 955-5663  
TTY (951) 955-8688  
FAX (951) 955-0385

Within 15 business days after receipt of the complaint, the Disability Access Coordinator will respond in writing, and, where appropriate, in a format accessible to the complainant. The response will explain the position of the County of Riverside and if appropriate, offer options for substantive resolution of the complaint.

If the response by the Disability Access Coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the Disability Access Coordinator within 15 business days after the receipt of the response to the Assistant CEO/Director of Human Resources for the County of Riverside or his/her designee.

Within 15 business days after receipt of the appeal, the Assistant CEO/Human Resources Director or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.