

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

For Access in the Public Road Right-Of-Way



STARK COUNTY ENGINEER

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1. INTRODUCTION & BACKGROUND

I. Transition Plan Need and Purpose

The American with Disabilities Act (ADA), enacted on July 26, 1990, provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation and telecommunications. Title II 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. The ADA consists of five titles outlining protections in the following areas:

Title I:	Employment
Title II:	State and Local Public Services
Title III:	Public Accommodations
Title IV:	Telecommunications
Title V:	Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services provided by public entities. The Stark County Engineer (SCE) must comply with this section of the Act, as it specifically applies to public service agencies. Title II of ADA states that “no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.” ([42 USC Sec. 12132](#); [28 CFR Sec. 35.130](#))

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

II. ADA and its Relationship to Other Laws

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

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

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

III. Agency Requirements

Title II of the ADA identifies specific steps for meeting the requirements with regards to the accessibility of facilities in the public right-of-way, 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. May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective [[28 CFR Sec. 35.130\(b\)\(iv\) & \(d\)](#)]. Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result [[28 CFR Sec. 35.130\(b\)\(7\)](#)].
- (3) Must designate at least one responsible employee to coordinate ADA compliance [[28 CFR Sec. 35.107\(a\)](#)]. This person is typically referred to as the **ADA Coordinator**. The public entity must provide the ADA Coordinator's name, office address, and telephone number to all interested individuals [[28 CFR Sec. 35.107\(a\)](#)];
- (4) Establishing a **Grievance Procedure** to respond to complaints regarding accessibility. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [[28 CFR Sec. 35.107\(b\)](#)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process;
- (5) Must provide a **Notification of ADA Compliance** ([Appendix C](#)). All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [[28 CFR Sec. 35.106](#)]. The notice must include the identification of the employee serving as the ADA Coordinator and must provide this information on an ongoing basis [[28 CFR Sec. 104.8\(a\)](#)].
- (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. May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability [[28 CFR Sec. 35.130 \(a\)](#)]. Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities [[28 CFR Sec. 35.150](#)]. Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others [[29 CFR Sec. 35.160\(a\)](#)].

2. ADA COMPLIANCE PROGRAM

I. Transportation 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, to be responsible for coordinating compliance with ADA requirements and investigating any complaints. As established by the Stark County Board of Commissioners, the Stark County Engineer's Department (SCE) is responsible for the operation and maintenance of the County's public road system. The SCE is, correspondingly, responsible for administering the ADA compliance program for accessible pedestrian facilities within the public road right-of-way.

The official responsible for implementation of the ADA compliance program within the County's public road right-of-way is the Traffic/Highway Engineer. The current Traffic/Highway Engineer is:

Brian A. Cole, PE, SI
Stark County Engineer's Department
5165 Southway Street SW, Canton, OH 44706
Phone (330) 477-6781, Fax (330) 477-3926
bacole@starkcountyohio.gov

II. Notice of ADA Requirements and Grievance Procedure

Title II of the ADA also requires state and local governments to adopt and publish grievance procedures providing for prompt and equitable resolution of complaints or grievances alleging any action that would be prohibited by Title II of the ADA. A public entity is also required to provide an opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of policies and procedures that affect the implementation of an ADA transition plan by submitting comments and making specific recommendations.

Complaints and service requests regarding the accessibility of pedestrian facilities in the public road right-of-way are specific to the Stark County Engineer's Department (SCE). The SCE **ADA Grievance Procedure** is located in [Appendix D](#).

III. Grievance Procedure and Instructions

Step 1 - File a Complaint Request/Grievance Form

The complainant should fill out the **ADA Complaint Request Form** shown in [Appendix E](#) of this document, giving all of the information requested. The ADA Complaint Request Form should be filed in writing with the ADA Coordinator within sixty (60) calendar days of the alleged disability related discrimination. Upon request, reasonable accommodations will be provided in completing the form, or alternative formats of the form will be provided. Individuals may also print the **ADA Complaint Request Form** ([Appendix E](#)) available on-line at the Engineer's website www.starkcountyohio.gov/engineer or it may be obtained from and sent to the Stark County Engineer's Department, ADA Coordinator, 5165 Southway St SW,

Canton, OH 44706; Telephone: (330) 477-6781, Fax: (330) 477-3926, E-mail: bacole@starkcountyohio.gov.

Step 2 - An Investigation is Conducted

Within 30 calendar days after receipt of the complaint, the ADA Coordinator or authorized representative will begin an investigation into the merits of the complaint and if necessary, may contact the complainant directly to obtain additional facts or documentation relevant to the grievance, and the possible resolutions.

Step 3: A Written Decision is Prepared and Forwarded to the Complainant

Within 30 calendar days of contacting the complainant, the ADA Coordinator or authorized representative will respond in writing. The response will explain the position of the Stark County Engineer's Department and offer options for substantive resolution of the complaint.

Step 4: A Complainant May Appeal the Decision

If the complainant is dissatisfied with the written response, the complainant may file a written appeal with the Stark County Engineer no later than 30 days from the date that the response was mailed. The appeal must contain a statement of the reasons why the complainant is dissatisfied with the written response, and must be signed by the complainant, or by someone authorized to sign on the complainant's behalf. Within 30 calendar days after receipt of the appeal, the Stark County Engineer or authorized representative will contact the complainant to discuss the complaint and possible resolutions. Within 30 calendar days after the contacting the complainant, the Stark County Engineer will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

The ADA Coordinator, the Stark County Engineer and/or authorized representatives shall maintain the confidentiality of all files and records relating to complaint request filed, unless disclosure is authorized or required by law.

IV. Accommodation and Grievance Response

In responding to complaint request(s) for structural improvement brought through the ADA Accommodation and Grievance process, the ADA Coordinator is limited to the funds in established Capital Improvement Projects and other miscellaneous funds. In the event that these allocated funds are insufficient or already spent, subsequent improvements will be prioritized and scheduled in subsequent fiscal years.

V. Policy

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

VI. 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 SCE Traffic and Highway Departments. The Traffic Engineer also programs accessibility features into the traffic signal and safety improvement projects. Unless constructed by the Highway Maintenance Department's crews, capital improvement projects are publicly bid and construction is administered by the SCE Construction Department.

The Stark County Engineer receives a variety of requests from the public for maintenance and improvements. SCE 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.

VII. Maintenance of Pedestrian Facilities

In addition to new construction and alteration projects, SCE maintains its existing pedestrian facilities on an on-going basis through the Highway Maintenance Department. 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 SCE to provide a timely response to the public's maintenance requests in order to assure accessibility for all persons.

Requests for accessibility improvements can be submitted to the ADA Coordinator, Contact information is provided in [Appendix G](#).

VIII. Public Notification and 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. Title II of ADA includes the following requirements regarding Communications:

General ([28 CFR Sec. 35.160](#))

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

Information and Signage ([28 CFR Sec. 35.163](#))

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

Other examples of important communication items/devices include [Accessible Pedestrian Signals \(APS\)](#) used at intersections, and signs, pavement markings and other traffic control devices used to provide advance warning and positive guidance in the vicinity of construction, maintenance or utility work areas/zones that impact sidewalks, crosswalks or other pedestrian access routes. The [Pedestrian Checklist and Considerations for Temporary Traffic Control Zones](#) provides an overview of pedestrian-related considerations to enhance safety and accessibility for these types of situations. [Appendix A1](#) of this Transition Plan provides additional information about communication items related to Pedestrian Facilities / Public Rights-of-Way.

In recent years, SCE has implemented the following accessibility improvements with regard to communications, information and facility signage:

- Adopted a Grievance Procedure and Form for communication with the public on areas needing improvement
- Created access through our website to which we can share with the public our ADA guidelines and upcoming work

A copy of the SCE ADA Transition Plan will continue to be available for public reference through the SCE website for a period of no less than 3 years in compliance with Title II of the ADA. By using the web site, the public will be able to obtain information on the Plan's purpose, schedule and timeline, pedestrian/ADA consumer survey, approved and revised documents, public involvement opportunities and contact information.

SCE welcomes ongoing feedback from the public, including persons with disabilities, regarding the accessibility of its pedestrian facilities. SCE routinely receives requests from the public for maintenance and new improvements, such as sidewalk maintenance, tree trimming and curb ramps. The public can communicate these requests to the Department through email, phone calls, and by filling out the **ADA Complaint Request Form** ([Appendix E](#)) available on the SCE website and at the main SCE office.

3. SELF-EVALUATION AND INVENTORY

I. Overview

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

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

- Communications, Information & Facility Signage.
- Pedestrian Facilities (Pedestrian Circulation Routes / Pedestrian Access Routes) – these include sidewalks, curb ramps, bicycle/pedestrian trails, traffic control signals and bus stops (and/or other transit facilities) that are located within Stark Counties right-of-way.

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

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

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

II. Process & Findings

In 2005, the Stark County Engineer's Department (SCE) commenced a self-evaluation of its public rights-of-way. The self-evaluation or baseline assessment was not completed as planned because of staffing changes, which left the position of an ADA Coordinator vacant for several years.

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

To address the needs of persons with disabilities to specifically access the public road and sidewalk system, the Stark County Engineer's Department (SCE) 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.” These documents, along with updates and supplements, are available from the SCE ADA Coordinator identified in **Section 2** of this Plan. The SCE ADA Coordinator is responsible for overseeing the County Engineer Department’s accessibility compliance program.

SCE 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 Stark County, Ohio. 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 Stark County Engineer and this Plan. Private property improvements outside the public road right-of-way are also outside the jurisdiction of the Stark County Engineer and this Plan.

SCE recognizes that its ADA self-evaluation and transition plan are complementary and foresees that the data collected will assist the agency in accomplishing the following goals:

- Prioritizing sidewalk maintenance projects
- Budgeting for sidewalk projects
- Developing maintenance schedules and budgets
- Quantifying the extent of work required to bring the County’s facilities into compliance
- Communicating data and project plans with the public, especially individuals with disabilities
- Creating objective sidewalk information that SCE can provide to users in various formats such as signage, maps and websites
- Adding pedestrian information to Geographic Information System (GIS) maps.

III. Pedestrian Facilities / Public Rights-of-Way

As part of the Self-Evaluation process, SCE has conducted an inventory and evaluation of pedestrian facilities within its public rights-of-way. The SCE maintains a Geographic Information System (GIS) database with mapping of all pedestrian facilities within the public road rights-of-way in the unincorporated areas of the County and are on County maintained roadways that are. The database also identifies locations where ramps are "missing." The County Engineer’s Department continues to perform field evaluations of its public rights-of-way and this ADA transition plan reflects the County Engineer’s good faith effort to continue to strive toward coming into compliance with the Title II of the Americans with Disabilities Act (ADA) and its implementation regulations.

Previous Practices

As a policy, SCE integrates accessible pedestrian features as part of Stark County’s capital improvement projects and maintenance improvements within the public road right-of-way. As additional information was made available regarding the methods of providing accessible pedestrian features, SCE updated its procedures to accommodate these methods. Since 1992, the effective date of the ADA, the SCE has incorporated ADA and ODOT design requirements into curb ramp, sidewalk and other standard drawings.

Since 1995, the SCE has overseen the construction of numerous pedestrian facilities. A list of Capital Improvement and Maintenance Improvement Projects are provided in [Appendix A1](#).

Policy

The Stark County Engineer's goal is to continue to provide accessible pedestrian design features as part of its capital and maintenance improvement projects. SCE has adopted ADA design standards and procedures as listed in [Appendix H](#). These standards and procedures will be kept up-to-date with nationwide and local best management practices.

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

Requests for accessibility improvements can be submitted to the ADA Coordinator, Contact information is provided in [Appendix G](#).

4. MONITORING AND STATUS REPORTING OF TRANSITION PLAN

This Transition Plan is considered to be a living document that will continue to be updated as conditions within the County evolve. The initial schedule is to formally review the complete document (main body and appendices) **at least once per year**, to identify any need for updates. Updates to the appendices or attachments may be made more frequently as needed. Any substantive updates to the main body of this document will include a public comment period to continue the County's public outreach efforts.

SCE recognizes that ADA compliance is an ongoing responsibility which will require monitoring to identify future accessibility issues that may be encountered. For example, facilities that currently meet ADA requirements could fall out of compliance in the future due to factors such as damage, disrepair, or changes within public rights-of-way that could create new accessibility obstacles. Therefore, the ADA Title II Coordinator and Transition Plan Implementation Coordinator will establish an on-going monitoring/inspection process to ensure that facilities continue to comply with ADA requirements. Agency employees will also be encouraged to report any accessibility concerns or deficiencies that are identified.

I. Introduction

Introduction

The County will review and update its transition plan at least every three years and include an update of the status of its ongoing self-evaluation if needed. If the County determines that it should add or remove items from the self-evaluation inventory, the County will update or correct the transition plan as needed and in accordance with the ADA. The Title VI/ADA Program Manager will monitor the County active public facilities and major program areas through annual reviews to ensure satisfactory progress in accordance with this transition plan.

Field Inspections and Monitoring

In accordance with the County Standards and Specifications, the County shall inspect all curb ramps and sidewalks using the following recommended procedures:

1. Visually inspecting the site and dimensions
2. Using a tape measure to obtain dimensions
3. Recording all measurements on the appropriate inspection form and verifying that the project meets or exceeds the ADA standards

Computerized Tracking and Status Reporting

The Title VI/ADA Program Manager shall oversee the development, maintenance and updating of the computerized tracking and reporting database with the assistance of the interdisciplinary team and subcommittee members as needed.

II. Plan and Schedule for Improvements

Upon careful review of the ADA self-evaluation findings outlined above, the County proposes to make the following changes to its practices to improve the accessibility of its programs and facilities to persons with disabilities. The County will continue to review and evaluate its practices and facilities to identify other methods, means and resources for improving overall accessibility to ensure compliance with the ADA.

Planning

The County shall implement a process to incorporate the review of its ADA Transition Plan and the transition plans of LPAs in the project development process and develop a process GIS map that clearly outlines the steps the County will follow.

The County, as part of its annual construction projects (Roadway, Paving, Traffic and Bridge), will evaluate the need for new curb ramps and upgrades to existing pedestrian facilities.

Design Manual

The County utilizes the Ohio Department of Transportation design manual for the current ADA standards and additional guidance for contractors, consultants and LPAs.

Public Rights of Way

The County shall implement a curb ramp schedule to provide for the installation of accessible curb ramps along its public rights of way. Priority for the implementation of improvements may be determined based on the same priority system used in conducting the inventory. Furthermore, the County will use the data collected during the inventory of curb ramps and intersection crossings to commit available resources to the reconstruction of existing curb ramps and crossings not currently in compliance with the ADA.

The County will determine actual ADA improvements by the condition of the facility at the time of the project. The absence of the facility from the inventory will not prohibit ADA work from being completed.

The County will continue to make ADA improvements in the public right-of-way in conjunction with any alteration or construction process. Additionally, a person with a disability or his or her representative may make a complaint or request concerning the accessibility features of the County public rights of way (e.g. curb ramps). If the County receives a valid and meritorious request or complaint from a person about a substandard access ramp, then the County may at its discretion move that ramp up in priority on the improvement schedule or document if it is structurally impracticable to make the curb ramp fully compliant with the ADA. (See 28 CFR 35.151(a) (2)). If structurally impracticable to achieve full compliance, the County will make ADA improvements to the maximum extent possible.

Employment

The County will continue to monitor its employment policies and practices annually through Title VI/ADA assessment and implement changes as necessary to comply with the ADA.

Public Outreach

The County will continue to developing a better system for collecting data regarding requests for reasonable accommodation. Currently, the Title VI/ADA Program Manager requests that each department monitor its ADA compliance activities using a public outreach matrix to capture information regarding requests for accommodation.

Improvement Schedule

SCE has established the following schedule of goals for improving the accessibility of its pedestrian facilities within Stark County jurisdiction:

- Within 10 years (2016 to 2026), 80% of the pedestrian facility features constructed after January 26, 1991 are to be ADA compliant.
- Within 15 years (2016 to 2031), 100% of all pedestrian facility features (including those constructed on or before January 26, 1991) within the priority areas identified by County staff are to be ADA compliant.

Based on results from the self-evaluation of pedestrian facilities, SCE has prepared a **Pedestrian Accessibility Installation Schedule** to address specific locations where accessibility improvements are needed. A copy of this schedule is included in [Appendix B](#).

5. ADOPTION OF ADA TRANSITION PLAN

This updated ADA Transition Plan is hereby adopted by SCE, effective March of 2016.

Signed:

ADA Coordinator

Date

ADA Transition Plan Implementation Coord.

Date

Authorizing Official

Date

APPENDIX A – SELF-EVALUATION

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

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

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

- Communications, Information & Facility Signage.
- Pedestrian Facilities (Pedestrian Circulation Routes / Pedestrian Access Routes) – these include sidewalks, curb ramps, bicycle/pedestrian trails, traffic control signals and bus stops (and/or other transit facilities) that are located within Stark Counties right-of-way.

APPENDIX A1 – Pedestrian Facilities / Public Rights-of-Way

STARK COUNTY ENGINEER

5165 Southway Street, SW
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Phone (330) 477-6781
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Pedestrian Facilities / Public Rights-of-Way SCE Projects Completed from 1995 to Present

Location	Work Type	Curb Present (Y/N)	Walk Present (Y/N)	Evidence of Ped (Y/N)	COUNTY Ped Ramps (Y/N)	COUNTY Ped Buttons (Y/N)
1995 Projects						
Bridge:						
Mahoning Rd. Bridge (CA-3-25)	Bridge Replacement	N	Y	Y	N	
W. Main St. Bridge (NI-3-25) (Louisville)	Bridge Replacement	N	N	N		
1996 Projects						
Roadway:						
Dueber/Gracemont	Intersection Improvement	N	N	N		
Hudson/Kemary	Intersection Improvement	N	N	N		
Strausser St & Lake O'Springs Ave	Intersection Improvement	N	N	N		
Portage St Reconstruction	Road Improvement	N	N	N		
Strip Ave & Mega St	New Construction	Y	N	N		
1997 Projects						
Roadway:						
Everhard Rd.	Relocation/Widening	Y	N	N	N	Y
Bridge:						
3rd Ave. Bridge (SU-35-22)	Bridge Replacement	Y	Y	Y		
Cherry St. Bridge (LA-9-25)	Bridge Replacement	Y	Y	Y		
1998 Projects						
None						
1999 Projects						
Roadway:						
Cleveland Ave. Phase 1	Widening/Reconstruction	Y	Y	Y	Y	Y
Lauby/Mt. Pleasant	Intersection Improvement	Y	N	N	N	Y
Sherman Church Ave Reconstruction	Road Reconstruction	N	N	N	N	
SR 236/Portage St Widening	Intersection Improvement	N	N	N	N	N
State St/Market Ave Widening	Intersection Improvement	N	N	N	N	Y
Whipple Ave/Dressler Rd Widening	Intersection Improvement	Y	N	N	N	N
2000 Projects						
Roadway:						
12th St/Hankins St Realignment	Intersection Realignment	Y	N	N	Y	Y
Applegrove St Realignment	Relocation	Y	Y	Y	Y	Y
Strausser/Arlington Widening	Intersection Improvement	N	N	N	N	Y
Cleveland Ave/Orion St	Intersection Realignment	Y	Y	Y	Y	Y
Frank Ave. Widening	Road Widening	Y	Y	N	Y	Y
Fuel Island						
Perry/Hills/Dales/Stuhldreher	Intersection Realignment	Y	N	N	Y	Y
Bridge:						
Bison St. Bridge		N	N	N		
Central Ave. Bridge		N	N	N		
Cheyenne St. Bridge		N	N	N		

STARK COUNTY ENGINEER

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**Pedestrian Facilities / Public Rights-of-Way
SCE Projects Completed from 1995 to Present**

Location	Work Type	Curb Present (Y/N)	Walk Present (Y/N)	Evidence of Ped (Y/N)	COUNTY Ped Ramps (Y/N)	COUNTY Ped Buttons (Y/N)
Diamond St. Bridge		N	N	N		
Earl Rd. Bridge		N	N	N		
Fox Ave. Bridge		N	N	N		
Lawnfield St. Bridge		N	N	N		
N. Chapel St. Bridge (NI-28-32)	Bridge Replacement	Y	Y	Y		
Seeman St. Bridge		N	N	N		
Swamp St. Bridge		N	N	N		
Willowdale Ave. Bridge		N	N	N		
2001 Projects						
Roadway:						
12th/13th St Connector	Relocation	Y	Y	Y	Y	Y
Arlington/Mudbrook	Intersection Improvement	Y	N	N	N	
Portage St/Arlington Ave Widening	Intersection Improvement	Y	N	N	N	Y
Dressler Rd. Part 2 Widening	Widening	Y	N	N	N	N
Portage/High Mill	Intersection Improvement	Y	N	N	N	Y
Waywood Street Extension	Relocation	N	N	N	N	
Bridge:						
Cindell St. Bridge						
Main St. Bridge East Sparta (PI-23-60)	Bridge Replacement	Y	Y	N		
Main St. Bridge Limaville		N	N	N		
Market St. Bridge (LA-9-27)	Bridge Replacement	Y	Y	Y		
Mt. Pleasant St. Bridge-1		N	N	N		
Navarre Rd. Bridge		N	N	N		
Nickel Plate Ave. Bridge		N	N	N		
Reeder Ave. Bridge		N	N	N		
Whipple Ave. Bridge		N	N	N		
2002 Projects						
Roadway:						
12th St & Perry Dr Widening	Intersection Improvement	N	N	N	N	Y
Carl St. Storm Sewer	Drainage Improvement	N	N	N		
Columbus/Beeson (3R)	3R	N	N	N		
Easton Street (3R)	3R	N	N	N		
Middlebranch & Easton Widening	Intersection Improvement	Y	N	N	N	Y
Elton Street (3R)	3R	N	N	N		
Hudson Drive Paving		N	N	N		
Portage St & Whipple Ave Widening	Intersection Improvement	Y	Y	Y	Y	Y
Portage St Widening Projects:						
Part A: Portage St (Interim) Widening	Widening	Y	N	N	N	Y
Part B: Portage Drop Right (Frank to Strip)	Widening	Y	N	N	N	Y
Part C: Portage St West (Phase 1) Widening	Widening	Y	N	N	Y	Y
Bridge:						
Lake Ave. Bridge (PE-6-17)	Bridge Replacement	Y	Y	N	N	
McCallum Ave. Bridge		N	N	N		
Whitacre Ave. Bridge		N	N	N		
2003 Projects						
Roadway:						
Faircrest St. Reconstruction	Road Reconstruction	N	N	N	NA	
Frank/Apple Grove Signal	Temp Signal Constr	N	N	N	N	N
McCallum Ave.	Reconstruction	N			NA	

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**Pedestrian Facilities / Public Rights-of-Way
SCE Projects Completed from 1995 to Present**

Location	Work Type	Curb Present (Y/N)	Walk Present (Y/N)	Evidence of Ped (Y/N)	COUNTY Ped Ramps (Y/N)	COUNTY Ped Buttons (Y/N)
Portage St Maintenance Plan		Y	N	N	N	N
Portage St & Sunset Strip Ave	Intersection Improvement	Y	N	N	N	
State St. (3R)	3R	N	N	N	NA	
Swamp St. (3R)	3R	N	N	N	NA	
Whipple/Portage Int.	Intersection/Widening	Y	Y	Y	Y	Y
Bridge:						
Baird Ave. Bridge		N	N	N		
Baymount St. Bridge		N				
Blossom Circle Bridge		N	N	N		
Dueber Ave. Bridge		N	N	N		
Coblentz Ave. Bridge		N	N	N		
Mahoning Ave. Bridge		N	N	N		
Mapleton St. Bridge		N	N	N		
Meese Temp. Bridge		N	N	N		
2004 Projects						
Roadway:						
12th St & Genoa Ave	Intersection Improvement	Y	N	N	N	Y
Beech/Beechwood Flasher	Overhead Flasher Beacons	N	N	N	N	
Cleveland Ave. Phase 2	Reconstruction	Y	Y	Y	Y	Y
Columbus/Paris Flasher	Overhead Flasher Beacons	N	N	N	N	
Portage St Widening (Phase 2)	Widening	Y	N	N	N	Y
Strausser St. Paving (H-5)	Resurfacing	N				
Whipple Ave Drop Right Turn Lane	Widening	Y	N	N	N	N
Bridge:						
Bentler Ave. Bridge		N				
Dressler Rd. Bridge		Y	Y	Y	Y	Y
Eison Street Bridge		N	N	N		
Haut Street Bridge		N	N	N		
Maplegrove Avenue Bridge		N	N	N		
Meese Rd. Bridge		N	N	N		
Stinewood Avenue Bridge		N	N	N		
2005 Projects						
Roadway:						
12th St & Woodlawn Ave	Intersection Improvement	Y	Y	Y	Y	Y
Cleveland Ave./Brumbaugh St. Signalization	Traffic Signal	Y	N	N	N	N
Columbus Rd. & Harmont Ave. Intersection	Intersection Improvement	Y	N	N	N	N
Elton & Pigeon Run Flasher	Overhead Flasher Beacons	N	N	N	N	
Fulton Rd. Widening (ODOT)	Widening	Y	Y	Y	N	N
Georgetown & Paris Flasher	Overhead Flasher Beacons	N	N	N	N	N
Greentown Elementary Flasher	School Signal	N	Y	Y	Y	Y
Portage St. East Widening	Widening	Y	Y	Y	Y	Y
Richville Drive Reconstruction		N	N	N	N	
Shuffel Dr. Connectors (I-77 Interchange)		Y	N	N	Y	Y
Bridge:						
South Main St./Everhard Rd. Bridge	Bridge Reconstruction	Y	Y	N	N	
2006 Projects						
Roadway:						
Orville St. (3R)		N	N	N	N	

**Pedestrian Facilities / Public Rights-of-Way
SCE Projects Completed from 1995 to Present**

Location	Work Type	Curb Present (Y/N)	Walk Present (Y/N)	Evidence of Ped (Y/N)	COUNTY Ped Ramps (Y/N)	COUNTY Ped Buttons (Y/N)
Strausser St. & Lutz Ave.	Intersection Improvement	Y	N	N	N	Y
2007 Projects						
Roadway:						
Sawburg Avenue & Main Street	Signal Improvement	N	N	N	N	
Georgetown St & Broadway Ave	Intersection Improvement	Y	N	N	Y	Y
Columbus Rd & Harmont Ave	Intersection Improvement	Y	N	N	Y	Y
Portage Street & Lutz Avenue	Intersection Improvement	Y	N	N	N	N
Bridge:						
Atwater Avenue	Bridge Replacement	N	N	N		
Midway Avenue	Bridge Replacement	N	N	N		
Sherman Church Avenue	Bridge Replacement	N	N	N		
2008 Projects						
Roadway:						
Applegrove St Widening Phase 1	Road Widening	Y	Y	Y	Y	Y
Bridge:						
Cleveland Avenue	Bridge Replacement	Y	Y	Y		
Walnut Avenue	Bridge Replacement	Y	Y	N		
Tremont Avenue	Bridge Replacement	Y	Y	Y		
2009 Projects						
Roadway:						
Hills & Dales Rd Widening - Phase 2	Road Widening	Y	N	N	Y	Y
State St & Middlebranch Ave	Intersection Improvement	N	N	N	N	
Bridge:						
3rd Street	Bridge Replacement	N	N	N		
Deerfield Avenue	Bridge Replacement	N	N	N		
2010 Projects						
Roadway:						
Belden Village Traffic Signals	Signal Improvement	Y	Y	Y	Y	Y
12th Street	Road Improvement	N				
Cleveland Ave & Mt. Pleasant St	Intersection Improvement	Y	Y	Y	Y	Y
Bridge:						
Wooster Street	Bridge Replacement	Y	Y	N		
Mt. Pleasant Street	Bridge Replacement	N	N	N		
Kemary Avenue	Bridge Replacement	N	N	N		
2011 Projects						
Roadway:						
Frank Ave Widening - Phase 1	Widening	Y	N	N	Y	Y
Frank Avenue & Shuffel Street	Signal Project	Y	N	N	N	N
Shepler Church Avenue (3R)	Road Improvements	N				
Market Avenue & Lake Center Street (Hartville)	Intersection Improvement	Y	Y	Y	N	N
Applegrove St & Market Ave Improvement	Intersection Improvement	Y	N	N	Y	Y
Bridge:						
Broadway Avenue	Bridge Replacement	N	N	N		
Riverland Avenue	Bridge Replacement	N	N	N		

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**Pedestrian Facilities / Public Rights-of-Way
SCE Projects Completed from 1995 to Present**

Location	Work Type	Curb Present (Y/N)	Walk Present (Y/N)	Evidence of Ped (Y/N)	COUNTY Ped Ramps (Y/N)	COUNTY Ped Buttons (Y/N)
Vine Street	Bridge Replacement	N	N	N		
Mt. Eaton Street	Bridge Replacement	N	N	N		
Blough Avenue	Bridge Repair	N	N	N		
2012 Projects						
Roadway:						
Everhard Rd (Hills&Dales to Fulton)	Road Improvements	Y	N	N	Y	N
Hills & Dales Rd Widening - Phase 1	Road Improvements	Y	N	N	Y	Y
Cleveland Ave Resurfacing (PID 87007)	Road Improvements	Y	Y	Y	Y	Y
Trump Ave & Georgetown St	Intersection Improvement	Y	N	N	Y	Y
Bridge:						
Price Street	Bridge Replacement	N	N	N		
Battlesburg Street	Bridge Replacement	N	N	N		
Mill Street (City of Canton)	Bridge Replacement	Y	Y	Y	N	
2013 Projects						
Roadway:						
Frank Ave Widening - Phase 2	Widening	Y	Y	Y	Y	Y
Dressler Rd & Everhard Rd Paving	Road Improvements	Y	N	N	Y	Y
Southway St & Raff Rd	Intersection Improvement	Y	N	N	NA	N
Intersection Curb Ramp Project	Curb Ramp Improvements					
1. (Portage St / Lake O'Springs Ave)		Y	N	N	Y	
2. (Strip Ave / Mega St)		Y	N	N	Y	
3. (Frank Ave / University St)		Y	N	N	Y	
4. (Frank Ave / KSU Entrance)		Y	N	N	Y	
Bridge:						
55th St Bridge Replacement & Realignment	Bridge & Roadway	Y	N	N	N	
Greenbower Street	Bridge Replacement	N	N	N		
Harrison Avenue	Bridge Replacement	N	N	N		
2014 Projects						
Roadway:						
Everhard Rd Improvement (Fulton to Everhard)	Road Improvements	Y	N	N	Y	N
Part A: Paris Ave & Easton St Roundabout	Intersection Improvement	Y	N	N	N	
Part B: Paris Ave & Meese St	Intersection Improvement	N	N	N	N	
Market Ave Paving	Road Improvements	N	N	N	N	
Bridge:						
Baum Street	Bridge Replacement	N	N	N		
Warner Avenue	Bridge Replacement	N	N	N		
2015 Projects						
Roadway:						
Applegrove St & Whipple Ave Paving	Paving Improvements	Y	Y	Y	Y	Y
Fox Avenue	Road Improvements	N	N	N		
Cleveland Ave Resurfacing (PID 99471)	Road Improvements	Y	Y	Y	Y	Y
Shepler Church Ave & Fohl St Roundabout	Intersection Improvement	Y	N	N	N	
Bridge:						
Werner Church Rd Realignment	Bridge & Roadway Replace	Y	N	N	Y	Y
2016 Projects						

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Pedestrian Facilities / Public Rights-of-Way
SCE Projects Completed from 1995 to Present

Location	Work Type	Curb Present (Y/N)	Walk Present (Y/N)	Evidence of Ped (Y/N)	COUNTY Ped Ramps (Y/N)	COUNTY Ped Buttons (Y/N)
Roadway:						
Portage St. Resurfacing (Phase 1) PID 97154	Road Improvements	Y	Y	Y	Y	Y
Portage St. Resurfacing (Phase 2) PID 97163	Road Improvements	Y	N	N	Y	Y
Perry Dr. Curb Ramp Project	Curb Ramp Improvements	Y	Y	Y	Y	N
Fulton Relief Sewer Outlet	Drainage Improvement	Y	N	N	N	
Bridge:						
Rockhill Ave. Bridge	Bridge Replacement	N	N	N		
Beck Ave Bridge	Bridge Replacement	N	N	N		
2017 Projects						
Roadway:						
Easton Street & Maple St. Resurfacing	Road Improvements	Y	Y	Y	Y	Y
Beeson St & Freshley Ave Roundabout	Road Improvements	Y	N	N	NA	
Shuffel St & Freedom Ave Signal Project	New Traffic Signal	Y	N	N	Y	Y
Bridge:						
Howenstine St. Bridge	Bridge Replacement	N	N	N		
Cherry St Bridge	Bridge Replacement	Y	Y	Y	NA	
12th St Bridge (City of Canton)	Bridge Replacement	Y	Y	Y	NA	
Liberty Church St Bridge	Bridge Replacement	N	N	N		
2018 Projects						
Roadway:						
Whipple Ave. & Everhard Rd Intersection	Intersection Improvement	Y	Y	Y	Y	Y
Whipple Ave. Resurfacing	Road Improvements	Y	Y	Y	Y	Y
Dressler Rd Resurfacing	Road Improvements	Y	Y	Y	Y	Y
12th/13th St Resurfacing	Road Improvements	Y	Y	Y	Y	Y
Cleveland Ave & Lake Center St Signal	New Traffic Signal	Y	N	N	Y	Y
Bridge:						
Mogadore Bridge	Bridge Replacement	N	N	N		
Alabama Bridge	Bridge Replacement	N	N	N		
2019 Projects						
Roadway:						
Richville Dr Resurfacing (City of Massillon)	Road Improvements	Y	N	N	N	
Shepler Church Ave Resurfacing	Road Improvements	Y	N	N	N	
Sherman Church Ave Resurfacing	Road Improvements	Y	N	N	N	
Bridge:						
Gambrinus Ave Bridge	Bridge Replacement	Y	Y	N	N	
Weimer Dr Bridge	Bridge Replacement	N	N	N		
Grovedell Bridge	Bridge Replacement	N	N	N		

APPENDIX B – SCHEDULE & BUDGET INFORMATION

Overview

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

SCE is committed to allocating \$10,000 to \$15,000 per calendar year to provide and improve Pedestrian Facility features within the Stark County Public Rights-of-Way. SCE is planning on adopting the following schedule:

Aim to have 80% of *Pedestrian Facility features constructed after January 26, 1991* be ADA compliant by the end of Year 10 (2026).

Aim to have 100% of *all Pedestrian Facility features (including those constructed on or before January 26, 1991) within the priority areas identified by County staff* be ADA compliant by the end of Year 15 (2031). Continue with additional improvements after Year 15 as feasible.

Discussion & Improvement Project Information

As indicated above, the Estimated Total Cost associated with providing ADA Pedestrian Facilities is between \$10,000 to \$15,000 per year. This amount represents a significant investment that SCE is committed to making in the upcoming years. A systematic approach to providing accessibility will be taken in order to accommodate this cost within the County's budget for accessibility improvements.

<i>Scheduled Roadway Improvement Projects*</i> Last Updated: December 2019		
Project / Location	Estimated Budget	Schedule

*All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards.

APPENDIX C – PUBLIC NOTIFICATION OF ADA PROCEDURE



STARK COUNTY ENGINEER

Notification of ADA Compliance

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA) of 1990, the Americans with Disabilities Amendments Act of 2008, the Fair Employment & Housing Act (FEHA), Ohio Revised Code 4112.02 and other applicable codes, the **Stark County Engineer** does not discriminate against individuals on the basis of disability in its services, programs or activities.

Employment: The **Stark County Engineer** does not discriminate on the basis of disability in its hiring or employment practices and will comply with the Fair Employment and Housing Act, as well as Title I of the ADA, including the regulations promulgated by the U.S. Equal Employment Opportunity Commission (EEOC), including the requirement to provide reasonable accommodations.

Effective Communication: The **Stark County Engineer** will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities, including sign language interpreters, documents in Braille and other alternate formats to ensure information and communication is accessible to people who have speech, hearing, vision, or cognitive impairments so they can participate equally in the programs, services and activities.

Modification to Policies and Procedures: The **Stark County Engineer** will make reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to participate in all of its programs, services and activities.

Anyone who requires auxiliary aides and services for effective communication, or a modification of policies or procedures to participate in a program, service or activity in the **Stark County Engineer** should communicate with the responsible Department contact as soon as possible, but no later than **48 hours** before the scheduled event.

Neither the ADA, nor state law requires the **Stark County Engineer** to take action that would fundamentally alter the nature of its programs, activities or services or impose an undue financial or administrative burden. Complaints that a program, activity or service of the **Stark County Engineer** are not accessible should be directed to the **ADA Coordinator, Brian A. Cole, P.E., 5165 Southway Street S.W. Canton Ohio, 44706; (330) 477-6781(voice), or email bacole@starkcountyohio.gov.**

The **Stark County Engineer** will not place a surcharge on a particular individual with a disability or a group of individuals with disabilities to cover the cost of providing auxiliary aids and services or making a reasonable modification to a policy to create access.

APPENDIX D – ADA GRIEVANCE PROCEDURE



STARK COUNTY ENGINEER

ADA Complaint Resolution Procedure for Pedestrian Facilities Within the Public Road Right-Of-Way

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA) of 1990, the Americans with Disabilities Amendments Act of 2008, the Fair Employment & Housing Act (FEHA), Ohio Revised Code 4112.02 and other applicable codes, the **Stark County Engineer's Department** does not discriminate against individuals on the basis of disability in its services, programs or activities.

This Complaint Resolution Procedure is established to meet the requirements of the ADA as stated above. 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 Stark County Engineer 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(s). The County's Grievance Procedure form is available online at www.starkcountyohio.gov/engineer or at the Stark County Engineer's Office, 5165 Southway St SW, Canton, OH 44706. 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.

Complaints 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:

Brian A. Cole, P.E. – ADA Coordinator
Stark County Engineer's Department
5165 Southway Street S.W. Canton OH 44706
Phone (330) 477-6781, Fax (330) 477-3926
bacole@starkcountyohio.gov

Within 30 calendar days after receipt of the complaint, the ADA Coordinator or authorized representative will contact the complainant to discuss the complaint and the possible resolutions. Within 30 calendar days of contacting the complainant, the ADA Coordinator or authorized representative will respond in writing. The response will explain the position of the Stark County Engineer's Department and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or authorized representative 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 Stark County Engineer. Within 30 calendar days after receipt of the appeal, the Stark County Engineer or authorized representative will contact the complainant to discuss the complaint and possible resolutions. Within 30 calendar days after the contacting the complainant, the Stark County Engineer will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or authorized representative, appeals to the Stark County Engineer, and responses from these offices will be retained by the Stark County Engineer's 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 Stark County Engineer facilities, employment, benefits, programs, services and activities may be directed to the Stark County Engineer's Human Resources Department.

APPENDIX E – ADA COMPLAINT REQUEST FORM

ADA Complaint Request Form

For Curb Ramps and Sidewalk in the Public Road Right-of-Way

AMERICANS WITH DISABILITIES ACT OF 1990 (ADA)

PLEASE PRINT:

NAME (Mr/Mrs/Ms) _____ DATE _____

ADDRESS _____ APT _____

CITY _____ STATE _____ ZIP _____

DAYTIME PHONE () _____ - _____ EMAIL _____

PREFERRED METHOD OF CONTACT: ☐ PHONE ☐ EMAIL ☐ MAIL

DATE OF GRIEVANCE _____

LOCATION OF PROBLEM (ADDRESS OR STREET INTERSECTION) _____

TOWNSHIP _____

STATEMENT OF COMPLAINT OR REQUEST (SUCH AS MISSING CURB RAMP, NARROW SIDEWALK, ETC.)

WHAT ACTION ARE YOU REQUESTING? _____

SIGNATURE _____ DATE _____

PLEASE USE THE REVERSE SIDE OF THIS FORM OR SEPARATE SHEETS OF PAPER IF YOU WOULD LIKE TO PROVIDE ADDITIONAL INFORMATION, ATTACH A PHOTO AND/OR DRAW A SKETCH.



PLEASE SEND THIS FORM TO:

STARK COUNTY ENGINEER

Attention: Brian A. Cole, P.E. – ADA Coordinator

5165 Southway St SW, Canton, OH 44706

bacole@starkcountyohio.gov

Phone (330) 477-6781

FAX (330) 477-3926

Thank you.

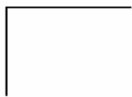
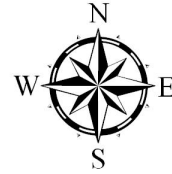
Our office will investigate your concern and contact you within 30 days.

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

APPENDIX E (CONTINUED)

STARK COUNTY ENGINEER

PLEASE USE ONE OF THESE SAMPLE INTERSECTION VIEWS.
PLEASE INDICATE STREET NAMES.



COMMENTS:

APPENDIX F – ADA COMPLAINT RESOLUTION FORM

STARK COUNTY ENGINEER

ADA Complaint Resolution Form

1. Date of Grievance _____
2. Name of Person filing the Grievance _____
3. Contact information Address _____ Phone _____ Email _____
4. Date of alleged discrimination _____
5. Please describe in detail what prevented you from being able to receive the benefits of the Stark County Engineer programs, services or activities. Include dates, locations, (addresses and parts of buildings), witnesses and any other details that will aid the County in its investigation of your grievance.

6. Have you discussed this matter with County Engineer staff? If yes, whom? _____

7. What would you like to see done to resolve the issue?

Signature _____ Date _____

If, because of your disability, you need assistance in completing this form please notify the ADA Coordinator at (330) 477-6781.

APPENDIX G - CONTACT INFORMATION

ADA Title II Coordinator & Transition Plan Implementation Coordinator

Name: Brian Cole, P.E., S.I.

Job Title: Traffic/Highway Engineer

Office Address: 5165 Southway St SW. Canton, OH 44706

Phone: (330)477-6781

Fax: (330)477-3926

E-mail: bacole@starkcountyengineer.gov

APPENDIX H - AGENCY ADA DESIGN STANDARDS AND IMPROVEMENT / COMPLIANCE PROCEDURES

ADA Resources and Design Standards

[Federal Highway Administration \(FHWA\) - Civil Rights - ADA/Section 504](#)

[Americans with Disabilities Act Accessibility Guidelines \(ADAAG\)](#)

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

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

[2010 ADA Standards for Accessible Design](#)

[ADA Checklist for Existing Facilities](#)

[ADA Best Practices Tool Kit for State and Local Governments](#)

[ADA Update: A Primer for State and Local Governments](#)

[Ohio Manual of Uniform Traffic Control Devices](#)

[Americans with Disabilities Act of 1990, as Amended \(2008\)](#)

[Title 28 CFR Part 35 – Nondiscrimination on the Basis of Disability in State and Local Government Services](#)

Improvement/Compliance Procedures

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

Intersection Corners

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

APPENDIX H – (CONTINUED)

Sidewalks / Trails

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

Traffic Control Signals

The County will work in good faith to have traffic control signals constructed or upgraded to achieve ADA compliance within all capital improvement projects. There may be limitations which make it technically infeasible for individual traffic control signal locations to achieve full accessibility within the scope of a project. If so, those limitations will be noted and those locations will remain on the transition plan. As future projects or opportunities arise, those locations shall continue to be incorporated into future work. Regardless of whether full compliance can be achieved in all cases, each traffic signal control location shall be made as compliant as possible in accordance with the judgment of the SCE staff.

Bus Stops

The County will work in good faith to have bus stops constructed or upgraded to achieve ADA compliance within all capital improvement projects. There may be limitations which make it technically infeasible for individual bus stop locations to achieve full accessibility within the scope of a project. If so, those limitations will be noted and those locations will remain on the transition plan. As future projects or opportunities arise, those locations shall continue to be incorporated into future work. Regardless of whether full compliance can be achieved in all cases, each bus stop location shall be made as compliant as possible in accordance with the judgment of the SCE staff.

APPENDIX I – GLOSSARY OF TERMS

ABA: See Architectural Barriers Act.

ADA: See Americans with Disabilities Act.

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

ADAAG: See Americans with Disabilities Act Accessibility Guidelines.

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

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

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

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

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

APS: See Accessible Pedestrian Signal.

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

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

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

DOJ: See United States Department of Justice.

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

FHWA: See Federal Highway Administration.

APPENDIX I – (CONTINUED)

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

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

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

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

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

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

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

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