

2012

Area Plan Commission of
Tippecanoe County

[ADA TRANSITION PLAN]

Town of Clarks Hill

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Statement/Mission

In 1990, the Federal Government enacted the Americans with Disabilities Act ("ADA"). The Town of Clarks Hill, Indiana recognizes its legal obligation to comply with Title II of the ADA and hereby establishes a transition plan to ensure compliance of this federal law, rules and regulations. Therefore Clarks Hill will identify barriers that exist and state how and when the barriers are to be removed by providing a means to address complaints of discrimination, by encouraging public input to assess, address and meet access needs, and by establishing periodic reviews of the plan to monitor progress and compliance. The purpose of the Plan is to ensure that the citizens of Clarks Hill are provided full access to the **Town's** programs, services and activities in a timely manner. Clarks Hill's elected officials and staff believe the ability to accommodate disabled persons is essential to good customer service, the quality of life Clarks Hill residents seek to enjoy and to effective governance. Title II of the ADA requires that each of the **Town's** services, programs and activities, when viewed in their entirety, be readily accessible and usable by individuals with disabilities.

Designation of an ADA Coordinator

Pursuant to Resolution 11-02-2012 adopted on the 5th day of November, 2012, by the Town Council of Clarks Hill the position of ADA Coordinator for the Town of Clarks Hill was created. The following individual was appointed to serve in such capacity:

Town Council President

The Town Council President holds such position concurrently with their **appointment as the president of Clarks Hill's Town Council and is** responsible for overseeing compliance with the ADA.

Town Council President
P.O. Box 146
Clarks Hill, IN 47930-0146
(765) 523-2211

Non-Discrimination Notice

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (“ADA”), the Town of Clarks Hill will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: Clarks Hill does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication: Clarks Hill will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Clarks Hill’s programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: Clarks Hill will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services and activities. For example, individuals with service animals are welcome in Clarks Hill offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Clarks Hill, should contact the Town Council President as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Town of Clarks Hill to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of Clarks Hill is not accessible to persons with disabilities should be directed to the Town Council President.

Clarks Hill will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

**Town of Clarks Hill, Indiana
Grievance Procedure under
The Americans with Disabilities Act**

This Grievance 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 by the Town of Clarks Hill. The **Town's** Personnel Policy governs employment-related complaints of disability discrimination.

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 grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

**Town Council President
ADA Coordinator
P.O. Box 146
Clarks Hill, IN 47930
(765) 523-2211**

Within 15 calendar days after receipt of the complaint, the Town Council President or (his/her) designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting the Town Council President or (his/her) designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the

position of the Town of Clarks Hill and offer options for substantive resolution of the complaint.

If the response by the Town Council President or (his/her) designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Town Council.

Within 15 calendar days after receipt of the appeal, the Town Council will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Town Council 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 Town Council President or (his/her) designee, appeals to the Town Council, and responses from these two offices will be retained by Clarks Hill for at least three years.

Design Standards-Sidewalks

Sidewalks: Sidewalk curbs constructed as part of planned development, sidewalk curbs replaced by or for Clarks Hill, or sidewalk curbs replaced by or for a property owner through a Clarks Hill match funding program shall be constructed in accordance with the PROWAG (Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way) regulations and standards.

Buildings: Any Clarks Hill owned buildings that are constructed, remodeled or updated shall be constructed in accordance with the most current ADAAG (Accessibility Guidelines for Buildings and Facilities) regulations and standards.

Public Involvement Opportunities

The general public is encouraged to participate in identifying needs or barriers to accessibility. This may be done by contacting the ADA Coordinator.

Town Council President
ADA Coordinator

**P.O. Box 146
Clarks Hill, IN 47930
(765) 523-2211**

A draft version of the Town of Clarks Hill's Transition Plan will be available at the Clarks Hill town hall and on the Area Plan Commission of **Tippecanoe County's (APC) website** (www.tippecanoe.in.gov/apc) from November 6, 2012 to November 25, 2012 for the public comment period. Anyone who would like to comment on the Transition Plan can submit their comments in these offices or can contact the ADA Coordinator.

After the Clarks Hill Transition Plan has been adopted it will be posted on **the APC's website** (www.tippecanoe.in.gov/apc). It will also be available at the town hall, the APC offices and the Tippecanoe County Public Library (627 South Street, Lafayette).

Inventory

Sidewalks: In an effort to remove barriers to streets and sidewalks, the Town of Clarks Hill arranged for an inventory of all curbs and sidewalks within Clarks Hill's jurisdiction. The inventory procedure is intended to identify a comprehensive list or inventory of all curbs and sidewalks in Clarks Hill's jurisdiction that are not ADA compliant. This is composed of an effort to both fully inventory all of the infrastructure that is present and then to identify those items in the system which are not compliant with ADA requirements.

The Town of Clarks Hill has developed its inventory of the existing system in three steps:

Step 1: Aerial Maps

Aerial photographs of Clarks Hill were used to map the locations on the system that include sidewalks and/or curbs. Area Plan Commission (APC) staff measured the width of visible sidewalks. All sidewalks at least four feet in width, and those where width could not be determined, were evaluated in the field by APC staff. All curb ramps were measured. All maps are included in the Appendix.

Step 2: Preparation of a Map of Compliant and Non-Compliant features
Prioritization maps were produced for both sidewalks and curb ramps. They are available in the Appendix.

Step 3: Request for Review and Public Input

As part of the Transition Planning process, the draft plan and maps prepared in Step 2 will be made available for comment. The draft plan will **be available for review on the APC's website** (www.tippecanoe.in.gov/apc) and on display at the following locations: Town Hall. The comment period will be from November 6th, 2012 to November 25th, 2012.

Assessment Procedures

The assessment procedure is intended to establish the relative importance or priority of the various obstacles that are identified in the Inventory.

Sidewalks and curb ramps were assessed separately. Sidewalks could score between 0 and 11. Ramps could score between 0 and 16, with higher scores indicating more compliance issues for both sidewalks and ramps. To break **potential ties a “core zone” was delineated in Clarks Hill’s downtown. Curb ramps and sidewalks adjacent to or within the core took higher priority than similarly scoring facilities elsewhere.** Inventory and priority maps are available in Appendix A.

Scoring Method

Sidewalk Scoring

Width:

- Less than 4 feet = 1
- 4 feet or greater = 0

Running Slope:

- Greater than 5% = 1
- 5% or less = 0

Cross-Slope:

- Greater than 2% = 1
- 2% or less = 0

Vertical Clearance:

Less than 80 inches = 1

80 inches or greater = 0

Passing Space:

Less than 5 feet = 1

5 feet or greater = 0

Vertical Drop:

One quarter inch or greater = 1

Less than one quarter inch = 0

Horizontal Gap:

One half inch or greater = 1

Less than one half inch = 0

Sidewalk Obstructions

Utility fixtures:

Present = 1

Absent = 0

Vegetation:

Present = 1

Absent = 0

Surface Irregularities:

Present = 1.

Absent = 0

Gap or absence of pavement:

Present = 1

Absent = 0

Curb Ramp Scoring

Ramp Width:

Less than 4 feet = 1

4 feet or greater = 0

Ramp Running Slope:
Greater than 8% = 1
8% or less = 0

Ramp Cross-Slope:
Greater than 2% = 1
2% or less = 0

Clear Space:
Less than 4 feet = 1
4 feet or greater = 0

Flare Width:
Less than 2 feet = 1
2 feet or greater = 0

Flare Depth
Less than 4 feet = 1
4 feet or greater = 0

Flare Cross-Slope:
Greater than 10% = 1
10% or less = 0

Landing depth:
Less than 5 feet = 1
5 feet or greater = 0

Landing Width:
Less than 4 feet = 1
4 feet or greater = 0

Landing Running Slope:
Greater than 2% = 1
2% or less = 0

Landing Cross-Slope:
Greater than 2% = 1
2 % or less = 0

Crosswalk Width (if present):

Less than 4 feet = 1

4 feet or greater = 0

Median Path Width (if present):

Less than 5 feet: 1

5 feet or greater = 0

Signal Timer (if present):

Requires speed of more than 3.5 ft/sec = 1

Speed less than 3.5 ft/sec = 0

Inventory

Buildings: Clarks Hill owns a limited number of properties. A self-evaluation/assessment of each of Clarks Hill's physical facilities will be conducted by December 31, 2013, if not sooner. The ADAAG standards will be used to evaluate and collect the data on the buildings. The data that is collected will be included in the update of the Transition Plan.

Funding & Scheduling

Clarks Hill will use the following funding sources _____ to repair, modify or reconstruct sidewalk and ramps. Clarks Hill intends to spend _____ annually to repair, modify or reconstruct sidewalk and ramps to meet current ADA standards.

Review & Evaluation

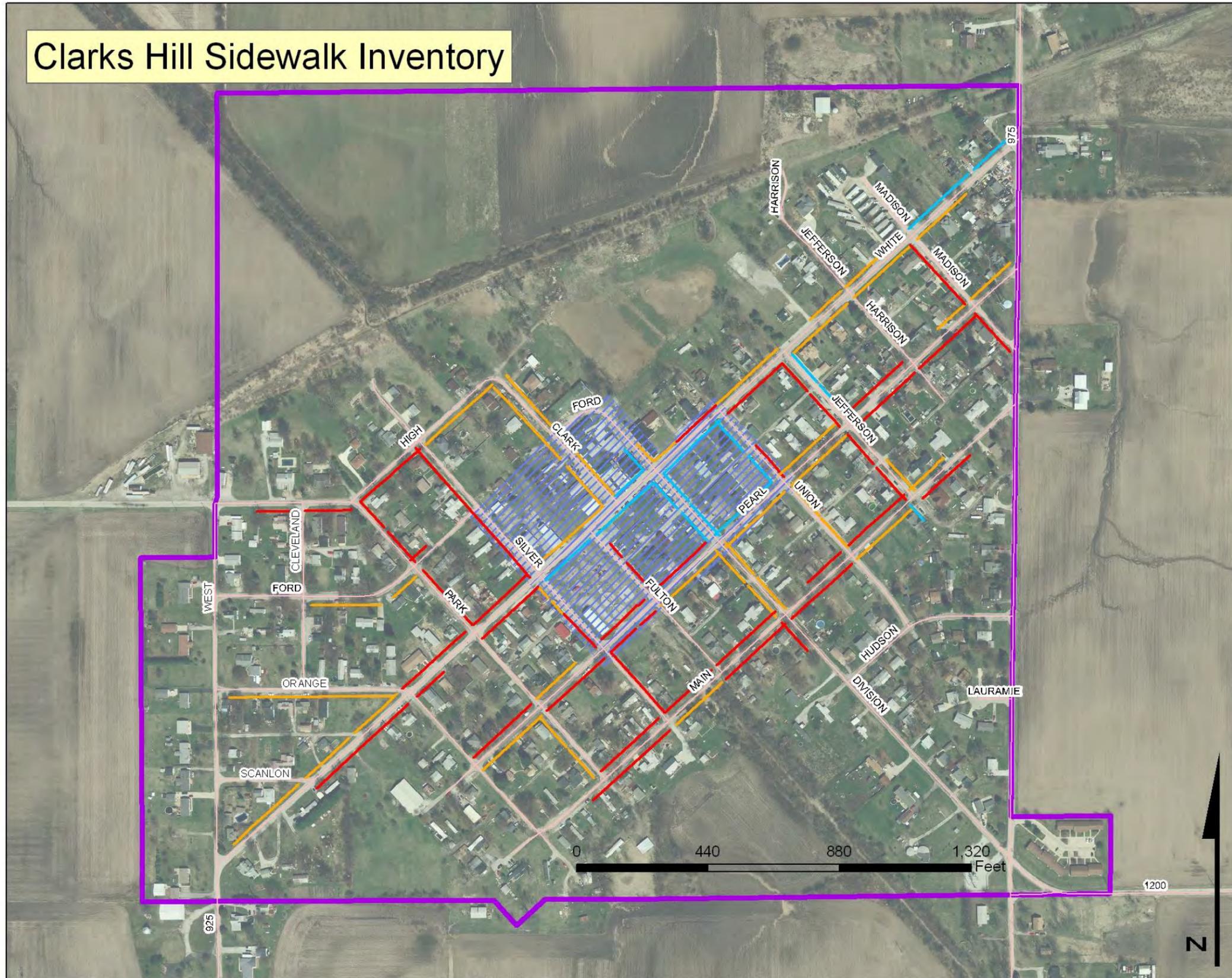
In January of each year the Town Council will meet with the ADA Coordinator to review Clarks Hill's efforts put forth the previous year to comply with the ADA and the implementation of the Transition Plan. At this time an update to the Transition Plan will be done. This shall include any adjustment to the number of sidewalks and ramps that are non-compliant, any changes to funding sources and changes to the schedule, if needed. The Town Council and ADA Coordinator shall review the

prioritization of repairs, modifications or replacement of sidewalks and curbs for the upcoming year. At this time they will also determine the number of sidewalks and curbs that can be brought into compliance with ADA standards (if different than previously stated in Transition Plan).

The review and evaluation will continue each January until all sidewalks and ramps are ADA compliant and the Transition Plan is completed.

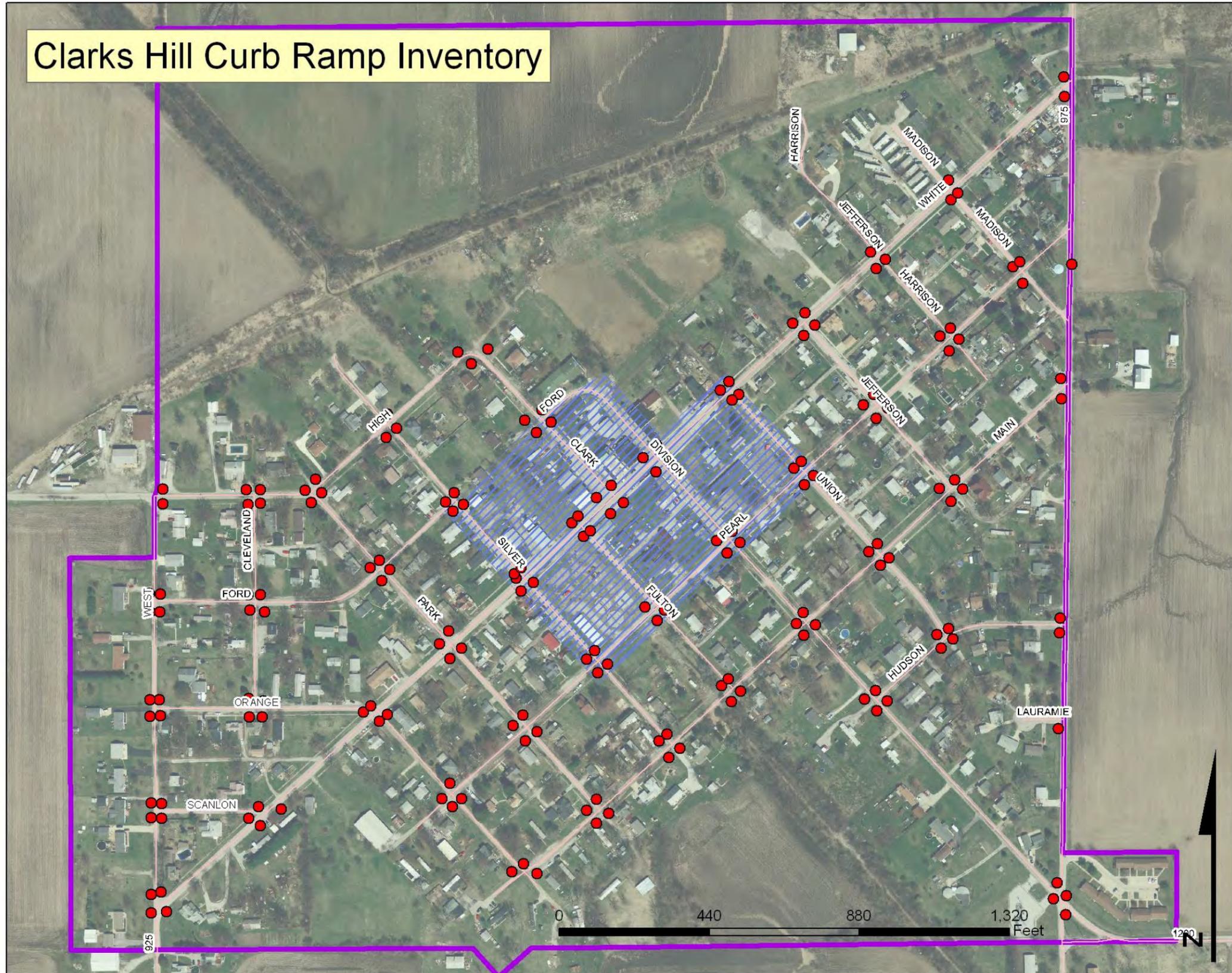
Appendix A: Maps

Clarks Hill Sidewalk Inventory



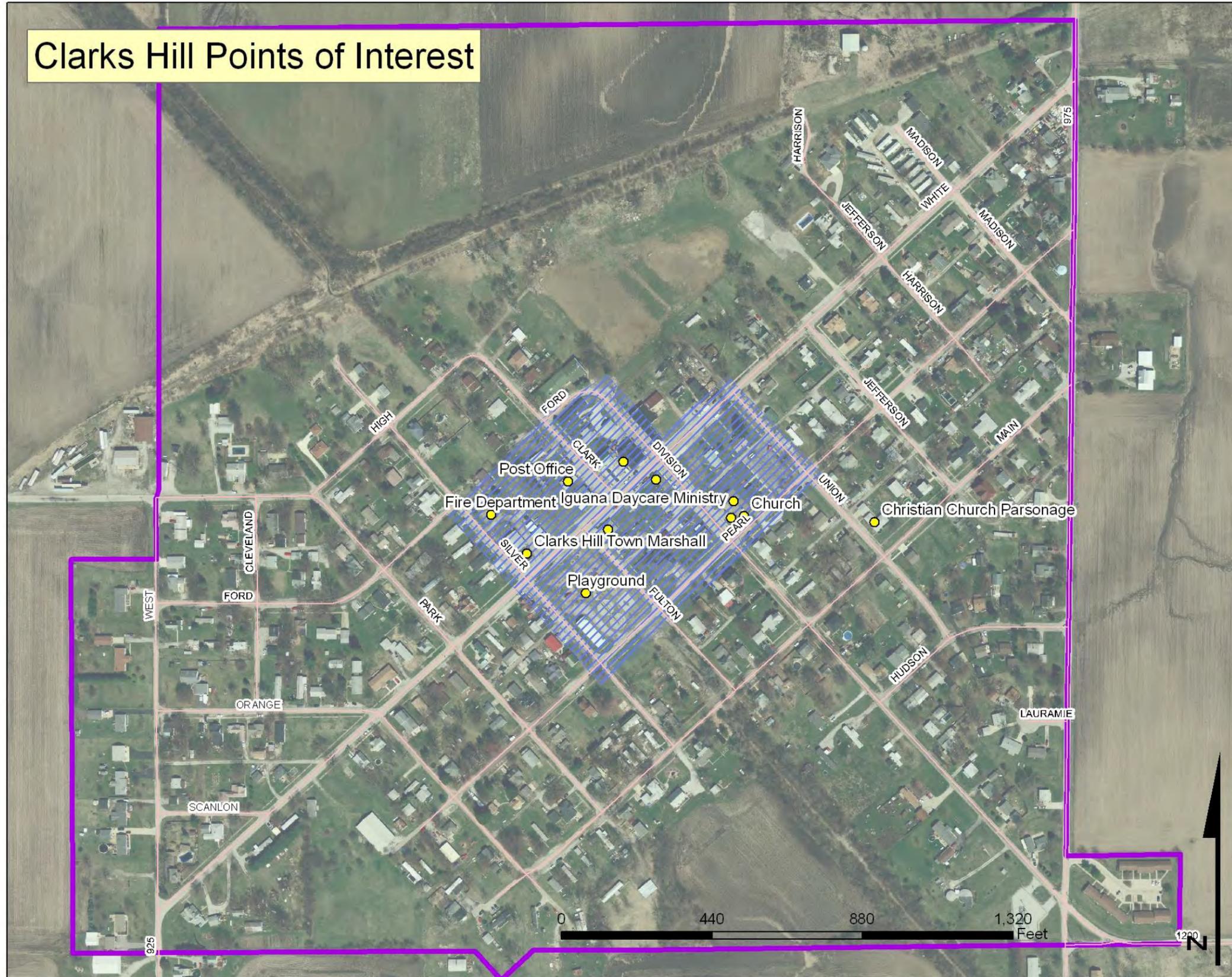
- Sidewalks**
- Low Noncompliance
 - Moderate Noncompliance
 - High Noncompliance

Clarks Hill Curb Ramp Inventory



- No Ramp
- ▨ Clarks Hill Core

Clarks Hill Points of Interest



● Point of Interest