



# TOWN OF LAPAZ



## **Americans with Disabilities Act Transition Plan:**

Pedestrian Facilities in the Public Right-of-Way

2023



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## 1 INTRODUCTION

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The purpose of this plan is to ensure that the Town creates reasonable, accessible paths of travel in the public right-of-way for everyone, including people with disabilities. The Town has made a significant and long-term commitment to improving the accessibility of their pedestrian facilities. The Transition Plan identifies physical barriers and prioritizes improvements that should to be made throughout the Town. This Transition Plan describes the existing policies and programs to enhance the overall pedestrian accessibility.

Since the adoption of the 2014 ADA Transition Plan, the Town has constructed over half a mile of accessible sidewalk along Michigan Road, the Town's main thoroughfare.

## 2 LEGAL REQUIREMENTS

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The federal legislation known as 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 specifically applies to "public entities" (state and local governments) and the programs, services, and activities they deliver. Title II Article 8, requires public entities to take several steps designed to achieve compliance. The plan shall, at a minimum includes:

1. A list of the physical barriers in a public entity's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities.
2. A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible.
3. The schedule for taking the necessary steps to achieve compliance with Title II.
4. The name of the official responsible for the plan's implementation.

Transition plans provide a method for a public entity to schedule and implement ADA required improvements to existing streets and sidewalks. Before a transition plan can be developed, an inventory of the current curb ramps and sidewalks must be developed.

### 3 IDENTIFIED OBSTACLES TO THE PUBLIC RIGHT-OF-WAY

The Town has a two-tiered system to identify and assess obstacles in the public right of way: a Preliminary Evaluation and a Detailed Evaluation. The barriers used in the evaluations are based on the *Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way* (ADA Guidelines) from the U.S. Architectural and Transportation Barriers Compliance Board.

#### 3.1 PRELIMINARY EVALUATION

The first tier is a Preliminary Evaluation of the intersections. The purpose of this evaluation is to determine which intersections are obviously non-compliant to the ADA Guidelines and to get a comprehensive overview of the complete pedestrian network. The preliminary inventory evaluates three (3) criteria for curb ramps and three (3) criteria for sidewalks:

##### Curb Ramps

1. Is there a curb ramp?
2. Does the curb ramp have a color contrasting detectable warning?
3. Does the curb ramp have a clear landing at the top of the ramp?

##### Sidewalks

1. Is there a continuous clear space for pedestrian access?
2. Does the sidewalk appear to provide adequate passing zones?
3. Does the sidewalk appear to be smooth without grade breaks?

The Preliminary Evaluation utilizes aerial and street-level photography to view each intersection. The criteria used can be seen on these aerials and are key design components to determine ADA compliance. If the curb ramps and sidewalks do not meet the criteria, then that intersection does not need further evaluation because it is obviously non-compliant with the ADA Guidelines. If it did meet the criteria, then that intersection would be “potentially compliant” and would need a Detailed Evaluation to determine if it fully complies with the ADA Guidelines.

#### 3.2 DETAILED EVALUATION

The second tier is a Detailed Evaluation of the intersections identified as “potentially compliant” during the Preliminary Evaluation. This requires fieldwork at the intersection and measuring of specific physical attributes, such as width, running slope, and gaps in the curb ramp or sidewalk, to determine compliance to the identified ADA barriers. For a description of the identified barriers see Attachment A. When the data is gathered, it is recorded into an intersection database<sup>1</sup>. The result from this evaluation is a detailed understanding of the ADA barriers at that intersection.

<sup>1</sup> The database is quite large and is constantly updated; it is not feasible for it to be included in the text of this ADA Transition Plan. The database may be made available for public review by advanced written request to the ADA Coordinator.

## 4 METHODS TO REMOVING BARRIERS – POLICIES & PRIORITIES

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The Town utilizes many different approaches in removing barriers in the public right-of-way, including proactively identifying and eliminating the barrier, responding to public complaints, and ensuring the appropriate design and build-out of new construction following the most recent design guidelines.

### 4.1 BARRIER REMOVAL PRIORITIES

The Town of LaPaz bases barrier removal priorities on two factors: location and the accessibility condition of the intersection.

#### 4.1.1 Location Priority

According to the *Accessible Rights-of-Way: A Design Guide*, “the DOJ regulation imposes a specific construction requirement...specifies a priority for locating (curb ramps) at: State and local government offices and facilities; transportation; places of public accommodation; places of employment; and other locations.” Following this guidance, the City identified its location priority as follows:

1. Intersections serving government facilities,
2. Intersections serving commercial and employment centers, and
3. Intersections serving other areas.

#### 4.1.2 Accessibility Condition

Using the data from the Preliminary Evaluation and the Detailed Evaluation, an accessibility condition, or Access Grade, can be determined. Points are assigned to the identified ADA barriers and calculated for each intersection. This will give the intersection an overall Condition Score for accessibility. The Access Grade assesses the Condition Score out of the total possible points and assigns a letter grade. This letter grade is A through E, A being the most accessible and E being the least accessible.

**4.1.3 Priority Rank**

In order to determine the overall priority of an intersection, or Priority Rank, the City uses the following matrix to match the location priority to the Access Grade.

Access Grade	Location Priority		
	1	2	3
	Locations serving Government Facilities	Locations serving Commercial & Employment Centers	Locations serving Other Areas
E	1E	2E	3E
D	1D	2D	3D
C	1C	2C	3C
B	1B	2B	3B
A	1A	2A	3A

**Priority Rank Levels**

High	Medium	Low
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The Town determines the priority of improvements by identifying which of the groupings are high, medium, or low priorities. A listing of priority intersections and a map,<sup>2</sup> that shows which intersections are high, medium, and low priorities for barrier removal, are in Attachment B.

**4.2 PUBLIC COMPLAINT PROCESS**

The public complaint process is an integral part of the Transition Plan. Public complaints or requests may often drive the prioritization of improvements. To file a complaint or a request regarding accessibility of a sidewalk or curb ramp, contact the ADA Coordinator in writing and describe the issue in detail, including the location. The ADA Coordinator will route this information to the appropriate Town department for inspection and possible action. That department will then respond to the ADA Coordinator with its findings, and the ADA Coordinator will record the formal response and reply to the complainant/requestor. All complaints or requests will be kept on file and will include the response. Attachment C is a copy of the Town’s public Grievance Procedure for Pedestrian Facilities in the Public Right-of-Way.

**4.3 NEW CONSTRUCTION & ALTERATIONS**

In order to ensure the correct design of curb ramps, sidewalks, and crosswalks in new construction and alterations, the Town has adopted the *Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way* (see Attachment C for a copy of the resolution). Whenever there is an intersection improvement project or new construction project, any affected curb ramps, sidewalks, and crosswalks will be rebuilt to these ADA design guidelines, where feasible and reasonable.

<sup>2</sup> The map is constantly updated and may be currently out-of-date from this plan. An updated map may be made available for public review by advanced written request to the ADA Coordinator.



## 5 SCHEDULE

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As opportunity allows, the Town will make efforts to improve the ADA Accessibility of pedestrian facilities in the public right-of-way. As stated in the *Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way*, “compliance is required to the extent practicable within the scope of the project.” There will be times when it is technically infeasible to provide technical compliance: for example, if clear space at the top of the ramp is obstructed by a building or the slope of a hill is so extreme as to prevent a reasonable slope for a ramp in both directions. The inventory process may not account for such situations and could show a high-priority rating when all feasible actions have been taken.

Additionally, given a program as broad and comprehensive as the Town’s pedestrian network, the Town will follow the concept of Program Access under Title II of the ADA. Program Access does not necessarily require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities, as long as the program as a whole is accessible. Under this concept, the Town may choose not to install a sidewalk at some locations (or to install them as a lower priority later), as long as a reasonable path of travel is available even without the sidewalk.

## 6 RESPONSIBLE INDIVIDUAL

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The official responsible for the implementation of the Town’s ADA Transition Plan for the pedestrian facilities in the public right-of-way is:

Roger Ecker  
Town Council President  
108 E. Randolph St  
PO Box 820  
LaPaz, IN 46537

Email: [recker@lapazindiana.com](mailto:recker@lapazindiana.com)  
Phone: (574) 784-3491  
Fax: (574) 784-8738

## 7 PUBLIC INPUT

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The Town of LaPaz provided opportunities for individuals to comment on this Transition Plan, which included:

- Document copies available at the Town’s Office
- Document made available on LaPaz’s website
- Document was made available and presented during a Town Council meeting on February 9, 2023

The Town published a legal notice on January 28, 2023. The legal notice announced the availability of the Transition Plan and provided instructions regarding the timetable for comments and where to send them. Public comments were accepted until February 9, 2023.

Formal adoption of the Transition Plan took place on February 9, 2023. It will be available on the web and by written formal request to the ADA Coordinator.

# ATTACHMENT A

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## 1. ADA GUIDELINES USED IN DETAILED EVALUATION

## 2. EVALUATION FORM

## ADA GUIDELINES USED IN DETAILED EVALUATION

### Curb Ramps

In evaluating the accessibility of existing curb ramps, the following factors were considered:

1. Is there a curb ramp?
2. Is there a curb ramp where a sidewalk crosses a street?
3. What type of curb ramp?
  - a. Perpendicular curb ramp
  - b. Parallel curb ramp
  - c. Blended transitions
4. Is the width of the curb ramp at least 4 feet wide (excluding flares)?
5. Are there detectable warnings properly installed where a curb ramp or blended transition connects to a street?
6. Is the running slope greater than 5% but less than 8.3% (blended transition 5% maximum)?
7. Is the cross slope less than 1%?
8. Is the landing a minimum of 4 feet x 4 feet?
9. Is the surface of the curb ramp or blended transition firm, stable, and slip resistant and clear of gratings, access covers, and other appurtenances?
10. Is the grade break at the top and bottom of the ramp flush and not located on the surface of the curb ramp, landing, or gutter areas?
11. Is the counter slope of the gutter or street at the foot of the curb ramp less than 5%?
12. Is the clear space beyond the curb face at least 4' x 4'?
13. If the curb ramp is perpendicular, is the slope of the flared sides less than 10% where a pedestrian path crosses the curb ramp or if the sides are returned, are they protected from cross travel?

**Sidewalks**

In evaluating the accessibility of existing sidewalks, the following factors were considered:

1. Is there a sidewalk at each corner?
2. Is there at least 4 feet of continuous and unobstructed clear width of a sidewalk (excluding the curb width)?
3. If the continuous width is less than 5 feet, are the passing spaces at least every 100 feet along the sidewalk that are 5 feet wide or greater?
4. Is the cross slope of the sidewalk less than 1%?
5. Where the sidewalk is adjacent to the street, does the grade of the sidewalk not exceed the general grade of the street?
6. Is the surface of the sidewalk firm, stable, and slip resistant?
7. Are any gaps in the surface less than ½ inch?
8. Is the sidewalk clear of grates or if there is a grate:
  - a. are the openings no more than ½ inch wide and
  - b. do the elongated openings run perpendicular to the direction of travel?
9. Is the sidewalk clear of protruding objects? If there is a protruding object is:
  - a. the leading edge of that object less than 17 inch and more than 80 inch above the ground, or
  - b. the protrusion less than 4 inches into the travel path of the sidewalk, or
  - c. a barrier is provided no more than 17 inches from the ground where the vertical clearance is less than 80 inches.

**Crosswalks**

In evaluating the accessibility of existing crosswalks, the following factors were considered:

1. Is there a crosswalk that connects two sidewalks across a street?
2. Is the width of the marked crosswalk at least 6 feet?
3. Does the cross slope of the crosswalk meet the following guidelines:
  - a. If the crosswalk is crossing a street with a stop control, is the cross slope less than 1%?
  - b. If the crosswalk is crossing a street without a stop control, is the cross slope less than 5%?
4. Is the running slope of the crosswalk less than 5%?
5. If the crosswalk crosses a median, is the length of the median at least 6 feet and does it contain detectable warnings located at curb line or edge of the roadway?
6. If the intersection signalized, does it have a pedestrian signal, if so, does the pedestrian signal phase allow enough time for a walking speed of 3.5 ft/sec?

EVALUATION FORM

LPA: \_\_\_\_\_ N/S: \_\_\_\_\_ E/W: \_\_\_\_\_ Ins: \_\_\_\_\_ Date: \_\_\_\_\_ ID: \_\_\_\_\_

<b>g</b>		<b>h</b>		<b>Approach</b>	
Cross %	Grade OK? Y - N	Cross %	Grade OK? Y - N	# of Lanes	Control N - ST - SG
Surface OK? Y - N	Gap	Surface OK? Y - N	Gap	Median? Y - N	Median Width -
Grate OK? Y - N	Protrusion Y - N	Grate OK? Y - N	Protrusion Y - N	Median Warn? Y - N	
Protr. Height -	Protr. Length -	Protr. Height -	Protr. Length -	<b>Crosswalk</b>	
Protr. Barrier Y - N		Protr. Barrier Y - N		Marked? Y - N	Width -
				Length ft	Cross %
				Run %	Ped Signal? Y - N
				Ped Time sec	
Width: "		Width: "		Width: "	
Passing: Y - N		Passing: Y - N		Passing: Y - N	
<b>G</b>		<b>H</b>		<b>A</b>	

<b>Approach</b>	<b>Crosswalk</b>	<b>Approach</b>	<b>Crosswalk</b>
# of Lanes	Marked? Y - N	# of Lanes	Marked? Y - N
Control N - ST - SG	Width -	Control N - ST - SG	Width -
Median? Y - N	Length ft	Median? Y - N	Length ft
Median Width -	Cross %	Median Width -	Cross %
Median Warn? Y - N	Run %	Median Warn? Y - N	Run %
	Ped Signal? Y - N		Ped Signal? Y - N
	Ped Time sec		Ped Time sec

<b>e</b>		<b>f</b>		<b>Approach</b>	
Cross %	Grade OK? Y - N	Cross %	Grade OK? Y - N	# of Lanes	Control N - ST - SG
Surface OK? Y - N	Gap	Surface OK? Y - N	Gap	Median? Y - N	Median Width -
Grate OK? Y - N	Protrusion Y - N	Grate OK? Y - N	Protrusion Y - N	Median Warn? Y - N	
Protr. Height -	Protr. Length -	Protr. Height -	Protr. Length -	<b>Crosswalk</b>	
Protr. Barrier Y - N		Protr. Barrier Y - N		Marked? Y - N	Width -
				Length ft	Cross %
				Run %	Ped Signal? Y - N
				Ped Time sec	
Width: "		Width: "		Width: "	
Passing: Y - N		Passing: Y - N		Passing: Y - N	
<b>E</b>		<b>F</b>		<b>D</b>	

Curb Ramps												
	Type	Width	Landing	Clear Space	Run %	Cross %	Gutter %	Edge Type	Flare %	Surface OK?	Warning OK?	Grd Brk OK?
A	PE - PA - BT - N	"	"	"	%	%	%	N - F - R	%	Y - N	Y - N	Y - N
B	PE - PA - BT - N	"	"	"	%	%	%	N - F - R	%	Y - N	Y - N	Y - N
C	PE - PA - BT - N	"	"	"	%	%	%	N - F - R	%	Y - N	Y - N	Y - N
D	PE - PA - BT - N	"	"	"	%	%	%	N - F - R	%	Y - N	Y - N	Y - N
E	PE - PA - BT - N	"	"	"	%	%	%	N - F - R	%	Y - N	Y - N	Y - N
F	PE - PA - BT - N	"	"	"	%	%	%	N - F - R	%	Y - N	Y - N	Y - N
G	PE - PA - BT - N	"	"	"	%	%	%	N - F - R	%	Y - N	Y - N	Y - N
H	PE - PA - BT - N	"	"	"	%	%	%	N - F - R	%	Y - N	Y - N	Y - N

# ATTACHMENT B

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## 1. ADA PRIORITIES MAP

## 2. PRIORITY LISTING OF INTERSECTIONS



## **ATTACHMENT C**

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- 1. RESOLUTION ADOPTING ADA DESIGN GUIDELINES**
- 2. RESOLUTION APPOINTING ADA COORDINATOR**
- 3. ADA GRIEVANCE PROCEDURE**
- 4. RESOLUTION ADOPTING THE AMERICANS WITH  
DISABILITIES ACT TRANSITION PLAN: PEDESTRIAN  
FACILITIES IN THE PUBLIC RIGHT-OF-WAY**





# ATTACHMENT D

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## 1. PUBLIC COMMENT AND RESPONSE FORM

**PUBLIC COMMENT AND RESPONSE FORM**

**Date of Comment:** \_\_\_\_\_

**Name of Person:** \_\_\_\_\_

**Comment:** \_\_\_\_\_  
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**Response:** \_\_\_\_\_  
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