

## Introduction

### Transition Plan Need and Purpose

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, is a civil rights law prohibiting discrimination against individuals on the basis of disability. ADA consists of five titles outlining protections in the following areas:

1. Employment
2. State and local government services
3. Public accommodations
4. Telecommunications
5. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services public entities provide. As a public entity that employs 50 or more persons, Washington County must comply with this section of the Act as it specifically applies to public service agencies. Title II of ADA provides 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](#), Washington County has conducted a self-evaluation of its facilities throughout the County and has developed this Transition Plan detailing how the organization will ensure that all of those facilities are accessible to all individuals.

### ADA and its Relationship to Other Laws

Title II of ADA is companion legislation to two previous federal statutes and regulations: the [Architectural Barriers Acts 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.

## Agency Requirements

Under Title II, Washington County must meet these general requirements:

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities ([28 C.F.R. Sec. 35.150](#)).
- 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 C.F.R. Sec. 35.130 \(a\)](#)).
- 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 C.F.R. Sec. 35.130\(b\) \(7\)](#)).
- 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 C.F.R. Sec. 35.130\(b\)\(iv\) & \(d\)](#)).
- 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 C.F.R. Sec. 35.160\(a\)](#)).
- Must designate at least one responsible employee to coordinate ADA compliance [[28 CFR Sec. 35.107\(a\)](#)]. This person is often 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\(a\)](#)].
- Must provide notice of ADA requirements. 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\(a\)](#)].
- Must establish a grievance procedure. 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.

# Facilities

## Self-Evaluation

### Overview

Washington County is required, under Title II of the Americans with Disabilities Act (ADA) and 28CFR35.105, to perform a self-evaluation of its current building infrastructure policies, practices, and programs. This self-evaluation will identify what policies and practices impact accessibility and examine how the County implements these policies. The goal of the self-evaluation is to verify that, in implementing the County's policies and practices, the department is providing accessibility and not adversely affecting the full participation of individuals with disabilities. A summary of the inventoried County policies and practices is found in Appendix A.

The self-evaluation also examines the condition of the County's Pedestrian Access Route (PAR) and identifies potential need for PAR infrastructure improvements. This will include the sidewalks, curb ramps, parking lots and buildings that house Washington County public services. Any barriers to accessibility identified in the self-evaluation and the potential / recommended remedy to the identified barrier are set out in this transition plan.

### Summary

In 2014, Washington County conducted an inventory of pedestrian access to facilities within its public system consisting of the evaluation of the following facilities:

- 24 Building Entrances
- 13 Courtrooms
- 97 Curb Ramps
- 28 Building Floors
- 2 Jury Rooms
- 23 Parking Lots
- 62 Sidewalk Control Points
- 5 Sidewalk Ramps

A detailed evaluation on how these facilities relate to ADA standards is found in Appendix A and will be updated periodically.

## **Policies and Practices**

### **Previous Practices**

Since the adoption of the ADA, Washington County has strived to provide accessible pedestrian features as part of the County's capital improvement projects. As additional information was made available, as to the methods of providing accessible pedestrian features, the County updated their procedures to accommodate these methods.

### **Policy**

Washington County's goal is to continue to provide accessible pedestrian design features as part of the County capital improvement projects. The County has established ADA design standards and procedures as listed in Appendix F. These standards and procedures will be kept up to date with nationwide and local best management practices.

The County will consider and respond to all accessibility improvement requests. All accessibility improvements that have been deemed reasonable will be scheduled consistent with facility priorities.

Requests for accessibility improvements can be submitted to the Title II ADA Coordinator. Contact information for Title II ADA Coordinator is located in Appendix E.

## **Improvement Schedule**

### **Priority Areas**

Prioritizing and scheduling of work will be established by the Transition Plan Implementation Committee based on numerous factors, including, but not limited to, severity of non-compliance, a barrier to access a program, feasibility of remedies, a safety concern, or a location that receives high public use. Prioritization will also be given to locations that would most likely not be updated by means of other county programs

### **Schedule**

Washington County has set the following schedule goals for improving the accessibility of its pedestrian facilities within the County jurisdiction:

- After 10 years, 95% of accessibility features within the priority areas identified by County staff would be ADA compliant.
- After 20 years, 95% of accessibility features within the jurisdiction of the County would be ADA compliant.

## Implementation Schedule

### Methodology

Washington County will utilize two methods for upgrading pedestrian facilities to the current ADA standards. The first and most comprehensive of the two methods are the scheduled facility improvement projects. All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards. The second method is the stand alone ADA accessibility improvement project. These projects will be incorporated into the Capital Improvement Program (CIP) on a case by case basis as determined by Washington County staff. The County CIP, which includes a detailed schedule and budget for specific improvements, is included in Appendix B.

# Public Rights of Way

## Self-Evaluation

### Overview

Washington County is required, under Title II of the Americans with Disabilities Act (ADA) and 28CFR35.105, to perform a self-evaluation of its current transportation infrastructure policies, practices, and programs. This self-evaluation will identify what policies and practices impact accessibility and examine how the County implements these policies. The goal of the self-evaluation is to verify that, in implementing the County's policies and practices, the department is providing accessibility and not adversely affecting the full participation of individuals with disabilities. A summary of the inventoried County policies and practices is found in Appendix A.

The self-evaluation also examines the condition of the County's Pedestrian Circulation Route/Pedestrian Access Route (PCR/PAR) and identifies potential need for PCR/PAR infrastructure improvements. This will include the sidewalks, curb ramps, paved bicycle/pedestrian trails, traffic control signals and transit facilities that are located within the County rights of way. Any barriers to accessibility identified in the self-evaluation and the potential / recommended remedy to the identified barrier are set out in this transition plan.

### Summary

In 2014, Washington County conducted an inventory of pedestrian facilities within its public right of way consisting of the evaluation of the following facilities:

- 1287 Curb Ramps
- 897 Sidewalk Control Points
- 149 Traffic Control Signals

A detailed evaluation on how these facilities relate to ADA standards is found in Appendix A and will be updated periodically.

## Policies and Practices

### Previous Practices

Since the adoption of the ADA, Washington County has strived to provide accessible pedestrian features as part of the County's capital improvement projects. As additional information was made available, as to the methods of providing accessible pedestrian features, the County updated their procedures to accommodate these methods.

## **Policy**

Washington County's goal is to continue to provide accessible pedestrian design features as part of the County capital improvement projects. The County has established ADA design standards and procedures as listed in Appendix F. These standards and procedures will be kept up to date with nationwide and local best management practices.

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

Maintenance of pedestrian facilities within the public right of way will continue to follow the policies set forth by the County.

Requests for accessibility improvements can be submitted to the Title II ADA Coordinator. Contact information for Title II ADA Coordinator is located in Appendix E.

## **Improvement Schedule**

### **Priority Areas**

Prioritizing and scheduling of work will be established by the Transition Plan Implementation Committee based on numerous factors, including, but not limited to, severity of non-compliance, a barrier to access a program, feasibility of remedies, a safety concern, or a location that receives high public use. Prioritization will also be given to locations that would most likely not be updated by means of other county programs

Additional priority will be given to any location where an improvement project or alteration was constructed after January 26, 1991, and accessibility features were omitted.

### **External Agency Coordination**

Many other agencies are responsible for pedestrian facilities within the jurisdiction of Washington County. The County will coordinate with those agencies to track and assist in the facilitation of the elimination of accessibility barriers along their routes.

### **Schedule**

Washington County has set the following schedule goals for improving the accessibility of its pedestrian facilities within the County jurisdiction:

- After 10 years, 80% of accessibility features within the priority areas identified by County staff would be ADA compliant.

- After 20 years, 80% of accessibility features within the jurisdiction of the County would be ADA compliant.

## **Implementation Schedule**

### **Methodology**

Washington County will utilize two methods for upgrading pedestrian facilities to the current ADA standards. The first and most comprehensive of the two methods are the scheduled street and utility improvement projects. All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards. The second method is the stand alone sidewalk and ADA accessibility improvement project. These projects will be incorporated into the Capital Improvement Program (CIP) on a case by case basis as determined by Washington County staff. The County CIP, which includes a detailed schedule and budget for specific improvements, is included in Appendix B.

# Parks

## Self-Evaluation

### Overview

Washington County is required, under Title II of the Americans with Disabilities Act (ADA) and 28CFR35.105, to perform a self-evaluation of its current park infrastructure policies, practices, and programs. This self-evaluation will identify what policies and practices impact accessibility and examine how the County implements these policies. The goal of the self-evaluation is to verify that, in implementing the County's policies and practices, the department is providing accessibility and not adversely affecting the full participation of individuals with disabilities. A summary of the inventoried County policies and practices is found in Appendix A.

The self-evaluation also examines the condition of the County's outdoor recreation access routes (ORAR), outdoor recreation trails (ORT) and outdoor constructed features and identifies potential need for ORAR, ORT or other constructed feature improvements. This will include the sidewalks, trails, picnic facilities, campsites and other features that are located within the County park system. Any barriers to accessibility identified in the self-evaluation and the potential / recommended remedy to the identified barrier are set out in this transition plan.

### Summary

In 2014, Washington County conducted an inventory of pedestrian facilities within its park system consisting of the evaluation of the following facilities:

- 1 Archery Range
- 4 Boat Launching Docks
- 5 Building Entrances
- 1 Conference Cottage
- 95 Curb Ramps
- 6 Designated Camp Sites
- 6 Fishing Piers
- 1 Nordic Center
- 11 ORAR Segments
- 699 ORT Segments
- 3 Park Offices
- 42 Parking Lots
- 30 Picnic Areas
- 7 Play Structure Areas
- 14 Restroom Buildings

- 84 Sidewalk segments
- 5 Swim Beaches
- 3 Viewing Blinds
- 35 Water Fountains

A detailed evaluation on how these facilities relate to ADA standards is found in Appendix A and will be updated periodically.

## **Policies and Practices**

### **Previous Practices**

Since the adoption of the ADA, Washington County has strived to provide accessible pedestrian features as part of the County's capital improvement projects. As additional information was made available, as to the methods of providing accessible pedestrian features, the County updated their procedures to accommodate these methods. Washington County Parks had previously evaluated the Park System in terms of its accessibility. This previous evaluation is found in Appendix H.

### **Policy**

Washington County's goal is to continue to provide accessible pedestrian design features as part of the County capital improvement projects. The County has established ADA design standards and procedures as listed in Appendix F. These standards and procedures will be kept up to date with nationwide and local best management practices.

The County will consider and respond to all accessibility improvement requests. All accessibility improvements that have been deemed reasonable will be scheduled consistent with park priorities. Maintenance of pedestrian facilities within the park system will continue to follow the policies set forth by the County.

Requests for accessibility improvements can be submitted to the Title II ADA Coordinator. Contact information Title II ADA Coordinator is located in Appendix E.

## **Improvement Schedule**

### **Priority Areas**

Prioritizing and scheduling of work will be established by the Transition Plan Implementation Committee based on numerous factors, including, but not limited to, severity of non-compliance, a barrier to access a program, feasibility of remedies, a safety concern, or a location that receives high public use. Prioritization will also be given to locations that would most likely not be updated by means of other county programs

## **Schedule**

Washington County has set the following schedule goals for improving the accessibility of its pedestrian facilities within the County jurisdiction:

- After 10 years, 80% of accessibility features within the priority areas identified by County staff would be ADA compliant.
- After 20 years, 80% of accessibility features within the jurisdiction of the County would be ADA compliant.

## **Implementation Schedule**

### **Methodology**

Washington County will utilize two methods for upgrading pedestrian facilities to the current ADA standards. The first and most comprehensive of the two methods are the scheduled park improvement projects. All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards. The second method is the stand alone ADA accessibility improvement project. These projects will be incorporated into the Capital Improvement Program (CIP) on a case by case basis as determined by Washington County staff. The County CIP, which includes a detailed schedule and budget for specific improvements, is included in Appendix B.

## County Website

### Self-Evaluation

#### Overview

Washington County is required, under Title II of the Americans with Disabilities Act (ADA) and 28CFR35.105, to perform a self-evaluation of its current building infrastructure policies, practices, and programs. This self-evaluation will identify what policies and practices impact accessibility and examine how the County implements these policies. The goal of the self-evaluation is to verify that, in implementing the County's policies and practices, the department is providing accessibility and not adversely affecting the full participation of individuals with disabilities. A summary of the inventoried County policies and practices is found in Appendix A.

The self-evaluation also examined the accessibility of the County's website. The County is required to ensure that communications with individuals with disabilities are as effective as communications with others. The evaluation of the website reviews the content of the website to ensure that it is perceivable, operable, understandable and robust.

#### Summary

In 2015, Washington County conducted an inventory of its website. A detailed evaluation on how these facilities relate to ADA standards is found in Appendix A and will be updated periodically.

## Policies and Practices

### Previous Practices

Since the adoption of the ADA, Washington County has strived to provide accessible pedestrian features as part of the County's capital improvement projects. As additional information was made available, as to the methods of providing accessible pedestrian features, the County updated their procedures to accommodate these methods.

### Policy

Washington County's goal is to continue to provide accessible communications with the public.

The County will consider and respond to all accessibility improvement requests. All accessibility improvements that have been deemed reasonable will be scheduled consistent with County priorities.

Requests for accessibility improvements can be submitted to the Title II ADA Coordinator. Contact information for Title II ADA Coordinator is located in Appendix E.

## Improvement Schedule

### Priority Areas

Prioritizing and scheduling of website improvements will be established by the ADA Compliance Committee based on numerous factors, including, but not limited to, severity of non-compliance, a barrier to access a program, feasibility of remedies, a safety concern, or an area that receives high public use.

### Schedule

Washington County has set the following schedule goals for improving the accessibility of its website:

- After 2 years, 95% of accessibility features within the priority areas identified by County staff would be ADA compliant.
- After 5 years, 95% of accessibility features would be ADA compliant.

## Implementation Schedule

### Methodology

Washington County will utilize two methods for upgrading the website to the current ADA standards. The first and most comprehensive of the two methods are the scheduled content replacement. As information is placed on the website, County staff will ensure that it meets accessibility criteria. The second method is the stand alone ADA accessibility improvement project. These projects will be incorporated into the Capital Improvement Program (CIP) on a case by case basis as determined by Washington County staff. The County CIP, which includes a detailed schedule and budget for specific improvements, is included in Appendix B.

## ADA Coordinator

In accordance with 28 CFR 35.107(a), the Washington County has identified an ADA Title II Coordinator to oversee the County policies and procedures. Contact information for this individual is located in Appendix E.

## Public Outreach

Washington County recognizes that public participation is an important component in the development of this document. Input from the community has been gathered and used to help define priority areas for improvements within the jurisdiction of Washington County.

Public outreach for the creation of this document consisted of the following activities:

Four open houses were held to introduce the Transition Plan to the public and begin a conversation about the county's work thus far, and to outline how the county will continue to provide accessibility throughout the county. Information gathered at the open houses will help identify priority areas of improvement within the county, including buildings, parks, roadways, and other county facilities. The open houses were held:

- 1:00 to 3:00 p.m. Tuesday, April 7, at the Oakdale City Hall, 1584 Hadley Ave. N. in Oakdale ;
- 4:30 to 6:30 p.m. Tuesday, April 7, at the Government Center 14949 N. 62<sup>nd</sup> St. in Stillwater;
- 4:30 to 6:30 p.m. Wednesday, April 8, at the Headwaters Service Center, 19955 Forest Lake Road N. in Forest Lake; and
- 4:30 to 6:30 p.m. Thursday, April 9, at the Cottage Grove Service Center, 13000 Ravine Parkway S. in Cottage Grove.

Additional information about the open houses is located in Appendix C.

This document was also available for public comment. A summary of comments received and detailed information regarding the public outreach activities are located in Appendix C.

(Upcoming)

## **Grievance Procedure**

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities in regards to the ADA. A draft of this public notice is provided in Appendix D. If users of Washington County facilities and services believe the County has not provided reasonable accommodation, they have the right to file a grievance.

In accordance with 28 CFR 35.107(b), the County has developed a grievance procedure for the purpose of the prompt and equitable resolution of citizens' complaints, concerns, comments, and other grievances. This grievance procedure is outlined in Appendix D.

## **Monitor the Progress**

This document will continue to be updated as conditions within the County evolve. The appendices in this document will be updated periodically, while the main body of the document will be updated in 10 years with a future update schedule to be developed at that time. With each main body update, a public comment period will be established to continue the public outreach.

# Appendices

## A. Self-Evaluation Results

- a. Facilities
- b. Public Rights of Way
- c. Parks
- d. County Website

## B. Schedule / Budget Information

## C. Public Outreach

- a. Open House Communication Efforts
- b. Open House Content
- c. Transition Plan Public Comments (Upcoming)

## D. Grievance Procedure

- a. Public Notice
- b. ADA Comment Form
- c. Discrimination Complaint Form

## E. Contact Information

## F. Agency ADA Design Standards and Procedures

- a. Facilities
- b. Public Rights of Way
- c. Parks
- d. County Website
- e. Policy #5024 – ADA Title II (Program Accessibility) Compliance Policy
- f. Policy #5026 ADA Title II Service Animal Policy
- g. Policy #P012 – Motorized Vehicles on Trails Policy
- h. Policy #PO21 – Free Annual Vehicle Permit for any Veteran who has a Total and Permanent Service-connected Disability

- i. Policy # P022 – Free Daily Vehicle Permit for any Veteran with any Service-connected Disability**
- j. Proposed Right of Way Accessibility Guidelines (PROWAG) as adopted by the MnDOT**
- k. ADA Transition Plan Inventory Manual**
- l. ADA Checklist for Readily Achievable Barrier Removal**

## **G. Glossary of Terms**

## **H. Washington County Previous ADA Planning Efforts**