



ADA Transition Plan

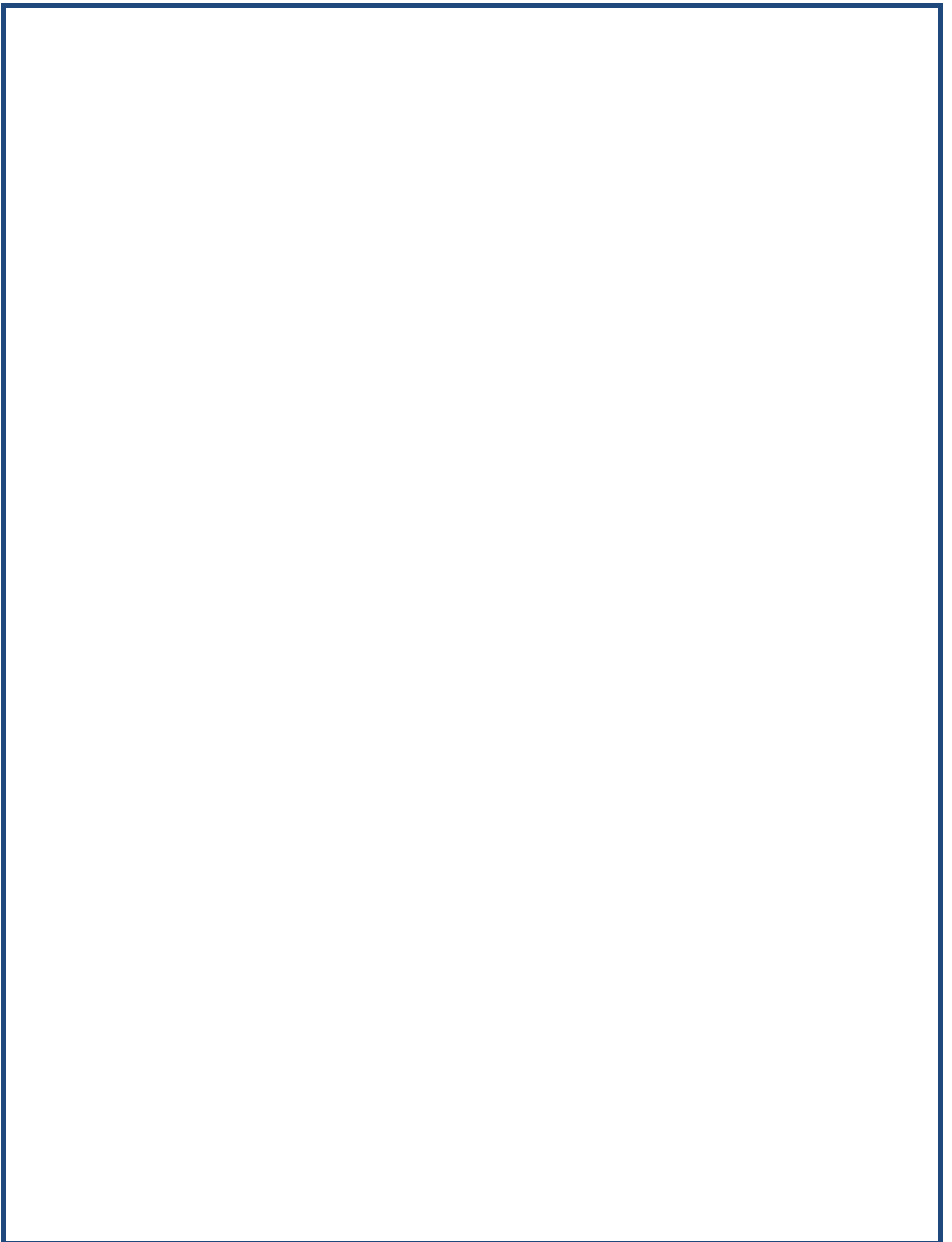
Americans with Disabilities Act (ADA) Transition Plan

Town of Atoka, TN

November 1, 2019



334 Atoka-Munford Ave.
Atoka, Tennessee 38004
901-837-5300
www.TownofAtoka.com



Introduction

Transition Plan Need and Purpose

The [Americans with Disabilities Act \(ADA\)](#) is a civil rights law prohibiting discrimination against individuals on the basis of disability. It was enacted on July 26, 1990, and was amended in 2008 with the ADA Amendments Act. The ADA consists of five titles outlining protections in the following areas:

- I. Employment
- II. State and local government services
- III. Public accommodations
- IV. Telecommunications
- V. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services provided by public entities. Agency Name 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](#)), Atoka has conducted a self-evaluation of its services, programs, activities, and facilities on public property and within public rights-of-way; and has developed this Transition Plan detailing the methods to be used to ensure compliance with ADA accessibility requirements.

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.

Agency Requirements

Under Title II, Atoka 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 CFR 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 CFR 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 CFR 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 CFR 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 CFR Sec. 35.160\(a\)](#)].
- 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\(a\)](#)].
- 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.

Designation of Responsibility

In accordance with [28 CFR 35.107\(a\)](#), Atoka has designated the following person to serve as ADA Title II Coordinator, to oversee the Town's policies and procedures:

Name Daniel Lovett

Job Title Public Works Director

In accordance with [28 CFR 35.150\(d\)\(3\)](#), Atoka has designated the following person to serve as ADA Transition Plan Implementation Coordinator, to monitor the Town's progress and manage review and updates of this document:

Name Rex Wallace Job Title Building Inspector

Contact information is provided in Appendix E.

Training is an important tool for ensuring compliance with ADA requirements. The ADA Coordinators will identify resources and opportunities for agency employees at various levels to receive ADA-related training appropriate to their job functions.

Self-Evaluation

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, Atoka 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.
- Building Facilities – these include offices, garages and other types of buildings.
- 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 the Town rights-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.

Process & Findings

In October of 2019, the Town completed a self-evaluation of its services, programs, activities, and facilities on public property and within public rights-of-way with regard to accessibility. Detailed inventories and findings from this review are provided in Appendix A, under the headings of Communications (A1), Building Facilities (A2) and Pedestrian Facilities (A3).

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 the Town plans to address as part of this Transition Plan.

Communications, Information & Facility Signage

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 A3 of this Transition Plan provides additional information about communication items related to Pedestrian Facilities / Public Rights-of-Way.

The Town has conducted a detailed evaluation of its communications, information and facility signage with regard to the ADA Title II requirements. The findings from this evaluation are provided in Appendix A1.

Improvement Schedule

Moving forward, the Atoka plans to implement improvements for the following items that have been identified as potential obstacles to accessibility.

Adkison Park

Facility Adkison Park Date _____
 Contact Person _____ Department Parks
 Email _____ Phone 901-837-5300

Area	Access Issue	Solution	Target Date	Person Responsible	Comments
<i>Example: South Entrance ramp</i>	<i>1:9 slope, cracks, square handrails.</i>	<i>New ramp</i>		<i>Facilities Manager</i>	<i>Check price of wood versus concrete.</i>
Parking Area	No handicap parking	add space with signage			
Parking Area	No van accessible spot with access aisle	add spaces with signage			
Scout Hut	No handrail on ramp	Install handrail			
Scout Hut	No Handrail on steps	Install handrail			
Scout Hut	Restrooms not handicap accessible	reconstruct restrooms to ADA specifications. Add signage			
Park Space	No handicap accessible picnic tables	Purchase and install table			
Playground	No handicap access to playground	Construct concrete path to playground entrance			

Nancy Lane Park

Facility Nancy Lane Date _____
 Contact Person _____ Department Parks
 Email _____ Phone 901-837-5300

Area	Access Issue	Solution	Target Date	Person Responsible	Comments
<i>Example: South Entrance ramp</i>	<i>1:9 slope, cracks, square handrails.</i>	<i>New ramp</i>		<i>Facilities Manager</i>	<i>Check price of wood versus concrete.</i>
Front Parking Lot	Needs a van parking spot with sign and 5' access	reconfigure existing space. Add new space and aisle with sign.			
Rear Parking Lot	Needs two handicap spots. One needs to be a van spot.	reconfigure existing space. Add new space and aisle with signs.			
Pavillion	Needs a handicap accessible picnic table	Purchase new table			
Restroom Facilities	Too wide of crack on approach ramp	Fill crack			
Restroom Facilities	Expansion joints too wide in concrete	Fill crack			
Restroom Facilities	Need handicap accessible signs for each door. Braille	Purchase and install signs			
Concession Stand	order counter higher than 36"	Lower counter			

Pioneer Park

Facility Pioneer Park Date _____
 Contact Person _____ Department Parks
 Email _____ Phone 901-837-5300

Area	Access Issue	Solution	Target Date	Person Responsible	Comments
<i>Example: South Entrance ramp</i>	<i>1:9 slope, cracks, square handrails.</i>	<i>New ramp</i>	<i>6/15</i>	<i>Facilities Manager</i>	<i>Check price of wood versus concrete.</i>
Parking Lot	No Van access spot or aisle	reconfigure spaces. Add van spot, access aisle, and add			
Park Space	No handicap accessible tables	Purchase and install table			

Walker Park

Walker Park
 Facility _____ Date 8/20/2018
 Contact Person _____ Department Parks
 Email _____ Phone 901-837-5300

Area	Access Issue	Solution	Target Date	Person Responsible	Comments
<i>Example: South Entrance ramp</i>	<i>1:9 slope, cracks, square handrails.</i>	<i>New ramp</i>		<i>Facilities Manager</i>	<i>Check price of wood versus concrete.</i>
Concession Area	No handicap accessible picnic tables	Purchase new table and install.			

Building Facilities and Related Parking Lots/Facilities

The Town of Atoka is responsible for the following buildings:

- Walker Park Concession Stand. 1197 Walker Parkway
- Nancy Lane Concession Stand. 118 Atoka Park Ave.
- Adkison Park Scout Hut. 735 Atoka-Idaville Rd
- Town Hall. 334 Atoka-Munford Ave.
- Police Station. 68 Atoka-McLaughlin Dr.
- Fire Station. 108 Atoka-McLaughlin
- Fire Station. 681 Walker Parkway
- Public Works Shop. 76 Cobb Ave.

The Town has conducted a detailed accessibility evaluation of each of its building facilities, and related parking lots/areas, based on the [ADA Checklist for Existing Facilities](#) publication. The findings from this evaluation are provided in Appendix A2. The accessibility barriers/issues identified as currently existing have been ranked in order of priority for improvement.

Pedestrian Facilities / Public Rights-of-Way

As part of the self-evaluation process, Atoka has conducted an inventory and evaluation of pedestrian facilities within its public rights-of-way, which consist of the following:

- 7.3 miles of sidewalks
- 31 curb ramps
- 4 crosswalks

- 2.02 miles of bicycle/pedestrian trails
- 2 traffic control signals
- 0 bus stops (and/or other transit facilities)

A detailed evaluation of these facilities with regard to accessibility compliance is provided in Appendix A3, and will be updated every three years.

Previous Practices

Since the adoption of the ADA, Atoka has striven to provide accessible pedestrian features as part of the Town's capital improvement projects. As additional information was made available regarding the methods of providing accessible pedestrian features, the Town updated its procedures to accommodate these methods.

Methodology

Atoka will utilize two methods for upgrading pedestrian facilities to current ADA standards. The first and most comprehensive method is through scheduled street and utility improvement projects. All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards. A current listing of these scheduled projects is included in Appendix B.

The second method is through specific sidewalk and ADA accessibility improvement projects that are identified individually. These projects will be incorporated into the Capital Improvement Program (CIP) on a case-by-case basis as determined by Atoka staff. The Town CIP, which includes a detailed schedule and budget for specific improvements, is included in Appendix B.

Policy

Atoka's goal is to continue to provide accessible pedestrian design features as part of its capital improvement projects. The Town has adopted 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 Town will consider and respond to all accessibility improvement requests. All accessibility improvements that are deemed reasonable will be scheduled consistent with transportation priorities. The Town will coordinate with external agencies to ensure that all new or altered pedestrian facilities within the Town jurisdiction are ADA compliant to the maximum extent feasible.

Maintenance of pedestrian facilities within the public rights-of-way will continue to follow the policies set forth by the Town. Examples of typical maintenance items relating to accessibility include: sidewalk repair policy, renewal of crosswalk markings, and signal hardware. Detailed information is provided in Appendix A3.

Requests for accessibility improvements can be submitted to the ADA Title II Coordinator or Transition Plan Implementation Coordinator. Contact information is provided in Appendix E.

Priority Areas

Atoka has identified specific locations as priority areas for planned accessibility improvement projects. These areas have been selected due to their proximity to specific land uses such as schools, government offices and medical facilities, as well as from the receipt of public comments. The priority areas as identified in the self-evaluation are as follows:

- Nancy Lane Park
- Pioneer Park
- Adkison Park

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 Atoka. The Town will coordinate with those agencies to assist with identifying and facilitating elimination of accessibility barriers along their routes.

Improvement Schedule

Atoka has established the following schedule of goals for improving the accessibility of its pedestrian facilities within the Town jurisdiction:

(Adjust for specific agency goals; below is one example.)

- Within 5 years (2020 to 2025), 100% of the pedestrian facility features constructed after January 26, 1991 are to be ADA compliant.

- Within 10 years (2020 to 2030), 80% of all pedestrian facility features (including those constructed on or before January 26, 1991) within the priority areas identified by Town staff are to be ADA compliant.
- Within 20 years (2020 to 2040), 80% of all pedestrian facility features (including those constructed on or before January 26, 1991) within the entire jurisdiction of the Town are to be ADA compliant.

Public Outreach

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

This document was also made available for public comment. Appendix C provides a summary of comments received and detailed information regarding the public outreach activities.

Public Notice of ADA Requirements and Grievance Procedure

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities with regard to ADA compliance. A draft of this public notice is provided in Appendix D.

If users of Atoka's facilities and services believe the Town has not provided a reasonable accommodation, they have the right to file a grievance. In accordance with [28 CFR Sec. 35.107\(b\)](#), the Town has developed a grievance procedure for the purpose of the prompt and equitable resolution of citizens' complaints or concerns. This grievance procedure is outlined in Appendix D.

Progress Monitoring and Transition Plan Management

This Transition Plan is considered to be a living document that will continue to be updated as conditions within the Town 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.



ADA Complaint Form

Passed by Congress in 1990, the Americans with Disabilities Act (ADA) is the nation's first comprehensive civil rights law addressing the needs of people with disabilities, prohibiting discrimination in employment, public services, public accommodations, and telecommunications.

The Americans with Disabilities Act (ADA) is an important federal law that addresses the rights of persons with disabilities in employment and transportation. The transportation provisions are important in increasing the independence of persons with disabilities by improving their mobility. Atoka complies with the ADA.

Please provide the following information necessary in order to process your complaint. Assistance is available upon request.

Complete this form and mail or deliver to:

Atoka Town Hall
Attn: ADA Coordinator
334 Atoka-Munford Ave.
Atoka, Tennessee 38004

Complaints may also be taken at (901) 837-5300 ,8 a.m. - 5 p.m. Monday-Friday

1. Complainant's Name: _____
Address: _____
Telephone No. (Home): _____ (Business): _____
Email: _____

2. Best method to contact you:

<input type="checkbox"/>	Mail
<input type="checkbox"/>	Phone
<input type="checkbox"/>	Email

3. Accessible format requirements:

<input type="checkbox"/>	Large Print Not
<input type="checkbox"/>	Applicable
<input type="checkbox"/>	Other: _____

4. Are you filing this complaint on your own behalf?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

If no, please answer questions 5 and 6 below.

5. Name, address and relationship of the person for whom you are complaining:

Name: _____

Address: _____

Relationship: _____

6. Please explain why you have filed for another person: _____

7. Have you previously filed an ADA complaint with COTA?

Yes

No

8. Date of incident when alleged discrimination occurred: _____

9. Describe how you were discriminated against. What happened and who was responsible? Please provide the location of the incident, bus number and line. For additional space, attach additional sheets of paper or use back of the form.

10. Witnesses? Please provide their contact information.

Witness 1: Name: _____
Address: _____
Telephone No. (Home): _____ (Business): _____

Witness 2: Name: _____
Address: _____
Telephone No. (Home): _____ (Business): _____

Witness 3: Name: _____
Address: _____
Telephone No. (Home): _____ (Business): _____

11. Have you filed this complaint with another federal, state, or local agency?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

12. If yes, please indicate where the complaint was filed and the contact information for the agency you filed the complaint with: _____

Name of Agency: _____

Address: _____

Telephone No. (Home): _____ (Business): _____

Date Filed: _____

Sign the complaint in space below. Attach any documents you believe support your complaint.

Complainant's Signature

Date

Complainant's Printed Name