

City of Auburn  
Americans with Disabilities Act (ADA)  
*Transition Plan for Curb Ramps, Sidewalks, and Pedestrian Signals*



**3**

**Downtown Improvement Program: Auburn, AL**

This ambitious streetscape program incorporates an upper level sidewalk to eliminate steps at shop entries. Brick and stone retaining walls enclose ramp and stair access between upper shop and lower street level sidewalks. Landscaping, benches, and lighting are located in the intermediate space

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## **Part 1: Introduction and Purpose**

### **1.1 Overview of Americans with Disabilities Act**

*The Americans with Disabilities Act (ADA) was enacted on July 26, 1990. The ADA extended civil rights legislation to people with disabilities, and is companion to the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. The ADA has broad application to public agencies and private businesses in its protection against discrimination for people with disabilities.*

The ADA provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, access to public accommodations, transportation, and telecommunications. The ADA is companion civil rights legislation with the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. This legislation mandates that qualified disabled individuals shall not be excluded from participation in, denied the benefit of, or be subjected to discrimination under any program or activity.

The ADA is divided into five parts covering the following areas:

#### **Title I: Employment**

Under this title, employers, including governmental agencies, must ensure that their practices do not discriminate against persons with disabilities in the application, hiring, advancement, training, compensation, or discharge of an employee, or in other terms, conditions, and rights of employment.

#### **Title II: Public Services**

Title II of the ADA requires accessibility in both the construction and operation of facilities and programs. It requires that new and altered **facilities** must be designed and constructed to be accessible to and usable by individuals with disabilities; and existing facilities and **programs** must achieve program accessibility.

A public pedestrian circulation network is both a “program,” i.e., a service delivered by a government to its citizens, and a set of “facilities,” e.g., the sidewalks, curb ramps, street crossings, and related pedestrian elements that are instrumental in providing the service.

In addition, Title II adds more specific rights-of-way coverage. It specifically requires that new and altered streets with sidewalks must contain curb ramps; and that certain existing pedestrian routes must be retrofitted with curb ramps. It is a measure of their importance to accessible pedestrian circulation that curb ramps are the only construction item expressly required in the Title II regulation.

This plan focuses primarily on the requirements of Title II.

**Title III: Public Accommodations**

Title III requires places of public accommodation to be accessible to and usable by persons with disabilities. The term “public accommodation” as used in the definition is often misinterpreted as applying to public agencies, but the intent of the term is to refer to any privately funded and operated facility serving the public.

**Title IV: Telecommunications**

Title IV covers regulations regarding private telephone companies and requires common carriers to increase the availability of interstate and intrastate telecommunications relay services to individuals with hearing and speech impairments.

**Title V: Miscellaneous Provisions**

This title contains several miscellaneous regulations, including construction standards and practices, provisions for attorney’s fees, and technical assistance provisions.

**1.2 Public Works Department’s Goal and Objective**

The goal of the City of Auburn’s ADA Transition Plan is to ensure that the City creates accessible paths of travel in the public right of way for persons with disabilities.

The City of Auburn is committed to improving accessibility of the public rights of way. The Public Works Department has primary responsibility for identifying, prioritizing and constructing curb ramps, sidewalks, crosswalks and pedestrian signalization that provide improved access. This transition plan describes existing policies and programs designed to improve accessibility in the public rights of way.

The City will fund the transition program through its Capital Improvements Program in conjunction with annual streets resurfacing, intersection improvements, and new sidewalk construction projects. Some elements of the program will be constructed as part of the normal maintenance and repair in the public rights of way.

**1.3 Legal Requirements**

Title II of the ADA (28 CFR Section 35.150(d)) requires that state and local governments develop a Transition Plan specific to curb ramps, sidewalks and crosswalks.

“...If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian

walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodations, and employers, followed by walkways serving other areas.

- (3) The plan shall, at a minimum –
  - (i) identify physical obstacles in the public entity’s facilities that limit the accessibility of its programs or activities to individuals with disabilities;
  - (ii) describe in detail the methods that will be used to make the facilities accessible;
  - (iii) specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and
  - (iv) indicate the official responsible for implementation of the plan...”

**1.4 Public Process and Input**

The ADA sets forth specific requirements for public input in the transition plan and requires that the public entity hold a public hearing to formalize the input. The City of Auburn’s ADA Transition plan was approved and adopted by City Council in an open meeting where the public was given opportunity for comment.

**1.5 Transition Plan Requirements**

Where structural modifications are necessary to achieve program accessibility—as in the addition of curb ramps—the regulation requires State and local governments that employ 50 or more staff members to develop a transition plan. This plan requires an exhaustive review of intersections, curb ramps, sidewalks, and crosswalks to identify obstacles and barriers. It includes a schedule for providing curb ramps where pedestrian walkways cross curbs and specifies they be placed at government offices and facilities, public transportation, places of public accommodations, places of employment, and along routes used by residents with disabilities to access these locations.

**1.6 Identifying and Eliminating Obstacles and Barriers**

The Public Works Department has implemented measures to proactively identify and assess obstacles and barriers to the public right of way. This assessment identifies those intersections where pedestrian crossings should not be permitted due to safety considerations, such as high speed or high volume of traffic. It also recognizes those areas where compliance would result in a fundamental alteration in the nature of the service, program, or activity or in undue financial and administrative burdens.

References:

Questions and Answers about ADA/Section 504: [http://www.fhwa.dot.gov/civilrights/ada\\_ga.htm](http://www.fhwa.dot.gov/civilrights/ada_ga.htm)  
ADA Standards for Accessible Design: <http://www.ada.gov/stdspdf.htm>  
ADA Home Page: <http://www.ada.gov/>

## **Part 2: Accessibility to Public Rights of Way Plan**

### **2.1 Background**

The Americans with Disabilities Act (ADA) recognizes and protects the civil rights of people with disabilities and is modeled after earlier landmark laws prohibiting discrimination on the basis of race and gender. To ensure that buildings and facilities are accessible to and usable by people with disabilities, the ADA establishes accessibility requirements for State and local government facilities, places of public accommodation, and commercial facilities. The agencies responsible for standards under the ADA are the Department of Justice (DOJ) and the Department of Transportation (DOT). The Public Works Department addresses rules specific to public rights-of-way. Our goal is to ensure that access for persons with disabilities is provided wherever a pedestrian way is newly built or altered, and that the same degree of convenience, connection, and safety afforded the public generally is available to pedestrians with disabilities. The ADA guidelines do not require alterations to existing public rights-of-way, but do apply where a pedestrian route or facility is altered as part of a planned project to improve existing public rights-of-way.

We will address certain features common to public rights-of-way as they relate to public sidewalks, such as curb ramps, crosswalks, and bus stops and shelters. Various constraints posed by space limitations at sidewalks, roadway design practices, slope, and terrain create challenges and raise valid questions on how and to what extent access can be achieved. Access for blind pedestrians at street crossings and wheelchair access to on-street parking are typical of the issues that present challenges and may require additional guidance from DOT. Also, new trends in roadway design, such as the growing use of traffic roundabouts, pose additional challenges to access, while various technological innovations, particularly those pertaining to pedestrian signaling devices, offer new solutions. We will make use of the technology to the extent funding will permit to provide accessibility to public rights-of-way despite the challenges.

### **2.2 Truncated Domes**

Truncated domes are the federally legislated standard design requirement for detectable warnings which enable people with visual disabilities to determine the boundary between the sidewalk and street. Because truncated domes have a unique design, they can be detected underfoot and by sound on cane contact. FHWA is obligated to enforce the requirements, and State and local governments are required to apply the minimum design standards when constructing and altering pedestrian facilities, though the agency encourages exceeding the minimum standards wherever possible. The requirements for detectable warnings at curb ramps are part of the enforceable standards. When constructing and altering pedestrian facilities, the City of Auburn Public Works Department will install truncated domes as detectable warnings to identify the boundary between the sidewalk and street for persons with visual disabilities.

## 2.3 ADA Handicap Ramps

The following guidelines will be used to construct ADA handicap ramps:

- a. Curb Ramps will be provided wherever an accessible route crosses a curb.
- b. The transitions from ramps to walks, gutters, or streets will be flush and free of abrupt changes.
- c. Maximum slopes of adjoining gutters, road surface immediately adjacent to the curb ramp, or accessible route shall not exceed 1:20.
- d. The minimum width of a curb ramp shall be 48 inches, exclusive of flared sides.
- e. If a curb ramp is located where pedestrians must walk across the ramp, or where it is not protected by handrails or guardrails, it shall have flared sides; the maximum slope of the flare shall be 1:10.
- f. Curb ramps with returned curbs may be used where pedestrians would not normally walk across the ramp.
- g. Built-up curb ramps shall be located so that they do not project into vehicular traffic lanes.
- h. A curb ramp shall have a detectable warning that extends the full width of the curb ramp to a depth of 2 feet.
- i. Curb ramps shall be located or protected to prevent their obstruction by parked vehicles.
- j. Curb ramps at marked crossings shall be wholly contained within the markings, excluding any flared sides.
- k. If diagonal (or corner type) curb ramps have returned curbs or other well-defined edges, such edges shall be parallel to the direction of pedestrian flow.
- l. The bottom of diagonal curb ramps shall have 48 inches minimum clear space.
- m. If diagonal curb ramps are provided at marked crossings, the 48 inches clear space shall be within the markings.
- n. If diagonal curb ramps have flared sides, they shall also have at least a 24 inches long segment of straight curb located on each side of the curb ramp and within the marked crossing.
- o. Any raised islands in crossings shall be cut through level with the street or have curb ramps at both sides and a level area at least 48 inches long between the curb ramps in the part of the island intersected by the crossings.

**Definition of a Ramp (General):** Any part of an accessible route with a slope greater than 1:20 shall be considered a ramp and shall comply with ADA guidelines. The least possible slope shall be used for any ramp. The maximum slope of a ramp in new construction shall be 1:12. The maximum rise for any run shall be 30 inches. The minimum clear width of a ramp shall be 36 inches. Ramps shall have level landings at bottom and top of each ramp and each ramp run.

**Landings.** Landings shall have the following features:

- (1) The landing shall be at least as wide as the ramp run leading to it.
- (2) The landing length shall be a minimum of 60 inches clear.
- (3) If ramps change direction at landings, the minimum landing size shall be 60x60.

## **2.4 ADA Parking Requirements**

The City of Auburn Planning Department is responsible for directing that public parking facilities provide access to public rights-of-way in accordance with criteria established by ADA. The requirements are enforced by the Public Safety Codes Division. They will ensure that at least the minimum number of parking spaces required to serve a particular facility are located at the shortest accessible route of travel from the parking lot to the accessible entrance to the facility. They will also ensure the spaces are at least 96 inches wide, the proper signage is posted, and minimum vertical clearance is maintained. If there are curbs between the access isle and the vehicle pull-up space, a curb ramp will be provided.

## **2.5 Audible Signals at Pedestrian Crossings**

The Americans with Disabilities Act (ADA) requires access to the public right-of-way for people with disabilities. Access to traffic and signal information is an important feature of accessible sidewalks and street crossings for pedestrians who have vision impairments. Techniques and cues used in crossing streets are diverse and vary by location and individual.

The Manual on Uniform Traffic Control Devices (MUTCD) defines an Accessible Pedestrian Signal (APS) as “a device that communicates information about pedestrian timing in non-visual format such as audible tones, verbal messages, and/or vibrating surfaces.” (Manual on Uniform Traffic Control Devices 2003, Section 4A.01)

In accordance with best management practices recommended by FHWA, the City uses an APS device with a quiet pushbutton locator tone, repeating once per second during the flashing and steady don't walk intervals, and provides information to the blind individual about the presence and location of a pedestrian pushbutton. This type of APS has a speaker on top of or inside the pedestrian signal head and provides a speech message or some other audible tone during the walk interval of the pedestrian signal. When the walk light comes on the sound changes to a chirp and a voice recording is activated that says the street name and that is safe to cross. Currently these audible signals are installed at all downtown intersections and other areas of high pedestrian traffic. It is the City's policy to evaluate any pedestrian crossing for audible signals upon request by a visually impaired citizen. Our standard details require installation of audible signals wherever pedestrian signals are installed.

## **2.6 Sidewalks**

Sidewalks are walkways that parallel a street or highway within the roadway border width. The term generally implies a separated (horizontally and/or vertically) and paved surface. Sidewalks in the public right-of-way most commonly border and take the slope of adjacent roadways. Shared-use paths may also serve a pedestrian circulation/transportation function. Where such a route is located in a public right-of-way and provides a direct pedestrian connection between neighborhoods, residential areas, schools, employment centers, and other origins and destinations, it must be accessible.

This Section addresses sidewalks, walkways, and similar pedestrian transportation routes that are located within a public right-of-way. Given the importance of pedestrianism as a transportation mode



and the fact that the pedestrian routes are used even when affected by rain, snow, or ice, providing more than the minimum of access features is strongly encouraged.

The utilitarian transportation function of sidewalks also suggests a high priority for accessibility. Ideally, the sidewalk network that makes up a public pedestrian circulation system should permit passage to every address and pedestrian feature on or along every pedestrian route.

The City makes every effort to construct sidewalks that meet or exceed the minimum walkway width recommended in current transportation industry guidelines as needed for accessible travel. The Institute of Transportation Engineers (ITE), in its recommended practice publication, "Design and Safety of Pedestrian Facilities," recommends planning sidewalks that are a minimum of 5 feet wide with a planting strip of 2 feet on local streets and in residential and commercial areas. AASHTO's "Green Book" recommends a minimum paved width of 3 meters—approximately 10 feet—for shared-use paths. The City of Auburn's minimum width for sidewalks is 4 feet with 2 feet of green space between sidewalks and curb or 5 feet wide if constructed against the back of curb. The City's minimum width for multiuse paths is 8 feet with 2 feet of green space.

### **Part 3: Implementation Strategies**

#### **3.1 Meeting Title II Requirements**

The ADA requires that new construction and alterations to existing facilities comply with the ADA Standards for Accessible Design (Standards). ADA requirements for new construction and alterations include detailed provisions for elements, spaces, and facilities. Successful accessibility is often measured in inches, so attention to detail can make the difference between achieving access and excluding or injuring someone. When the ADA's minimum requirements are not met, the results can limit or exclude a person with a disability and can be dangerous. For example, when a curb ramp extends into an access aisle at an accessible parking space, a person using a wheelchair may not be able to get out of the car or van. When the slope of a sidewalk that is an accessible route becomes steeper than 1 to 20, railings and edge protection are required for safe use. Objects that project into circulation spaces from the side or that do not provide at least 80 inches of head clearance can be extremely hazardous to people who are blind or who have low vision.

For these reasons the City of Auburn has mandated that all new construction must meet ADA standards for accessibility to public rights-of-way. Standard construction details have been changed to incorporate the new design for sidewalks, crosswalks, curb ramps and ramps.

The City began installing curb ramps in 1996. Since that time, these ramps have become a standard practice throughout the City. The City began installing detectable warning devices in 2008. It is now standard practice that detectable warning devices be installed at all intersection crosswalks.

#### **3.2 Requirements during Street Resurfacing Projects**

During our annual streets resurfacing project and whenever circumstances warrant that a street segment be resurfaced, any ADA requirement for curb ramps, sidewalks or crosswalks that is found to be deficient or missing will be repaired or installed.

#### **3.3 Requirements during Sidewalk Repair and Maintenance**

During routine sidewalk inspection, maintenance, and repair, any ADA requirement for curb ramps, sidewalks, and crosswalks that is found to be deficient or missing will be repaired or installed.

#### **3.4 Requirements during New Construction**

During new construction, any ADA requirement for curb ramps, sidewalks, detectable warning devices, and audible signals will be incorporated into the project.

### **3.5 Requirements Mandated by Regulations**

The *City of Auburn Subdivision Regulations* and the *Public Works Engineering, Design and Construction Manual* have been updated to include ADA requirements for accessibility to public rights-of-way.

**The proponent for this plan is the City of Auburn Public Works Department. Please address questions or comments to City of Auburn, Public Works Department, 171 N. Ross Street, Suite 300, Auburn, Alabama 36830.**