

# Town of Bourbon

## Americans with Disabilities Act Transition Plan: Pedestrian Facilities in the Public Right-of-Way



2013



# Table of Contents

<b>Introduction</b> .....	<b>1</b>
<b>Legal Requirements</b> .....	<b>1</b>
<b>Identified Obstacles to the Public Right-of-Way</b> .....	<b>2</b>
Preliminary Evaluation.....	2
Detailed Evaluation.....	2
<b>Methods to Removing Barriers – Policies &amp; Priorities</b> .....	<b>3</b>
Barrier Removal Priorities .....	3
Location Priority .....	3
Accessibility Condition .....	3
Priority Rank .....	4
Public Complaint Process .....	4
New Construction & Alterations .....	5
<b>Schedule</b> .....	<b>5</b>
<b>Responsible Individual</b> .....	<b>5</b>
<b>Public Input</b> .....	<b>5</b>
<b>Attachment A</b> .....	<b>7</b>
<b>Attachment B</b> .....	<b>11</b>
<b>Attachment C</b> .....	<b>13</b>
<b>Attachment D</b> .....	<b>15</b>



## INTRODUCTION

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 be made throughout the Town. This Transition Plan describes the existing policies and programs to enhance the overall pedestrian accessibility.

*In 2008 the Town of Bourbon completed Center Street Project. It was a Federal grant implemented by the state INDOT. ADA specs were based on federal requirements. These requirements gave the Town of Bourbon a good idea of how all sidewalks should be done throughout the rest of the Town.*

## LEGAL REQUIREMENTS

**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.

## 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.

### 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.

### 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.

## METHODS TO REMOVING BARRIERS – POLICIES & PRIORITIES

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.

### BARRIER REMOVAL PRIORITIES

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

#### 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.

#### 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.

---

<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.

**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**

<b>High</b>	<b>Medium</b>	<b>Low</b>
-------------	---------------	------------

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.

Intersections with no existing sidewalks were not provided a priority ranking, since they are not currently a part of Bourbon’s pedestrian network. Should sidewalks be added to these areas, it would be a priority to ensure that they meet ADA accessibility standards.

**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.

<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.



### 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.

### SCHEDULE

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.

### RESPONSIBLE INDIVIDUAL

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 Terry  
ADA Coordinator  
104 E Park Ave.  
Bourbon, IN 46504

rterry@bourbon-in.gov  
574-342-0079  
574-305-1762 (cell)  
Fax: 574-342-3205

### PUBLIC INPUT

The Town of Bourbon provided opportunities for individuals to comment on this Transition Plan.

The Town published legal notices in local newspaper, the Bourbon News Mirror, on January 10, 2013. The legal notices announced the availability of the Transition Plan draft at the local library with easy access. These notices also provided instructions regarding the time table for comments and where to send them. Public comments were accepted for a period of no less than 30 days, ending February 12, 2013.

Open house and presentation of the Transition Plan took place at a Public meeting on February 12, 2013. Formal adoption took place on the same date.

## **ATTACHMENT A**

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

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

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

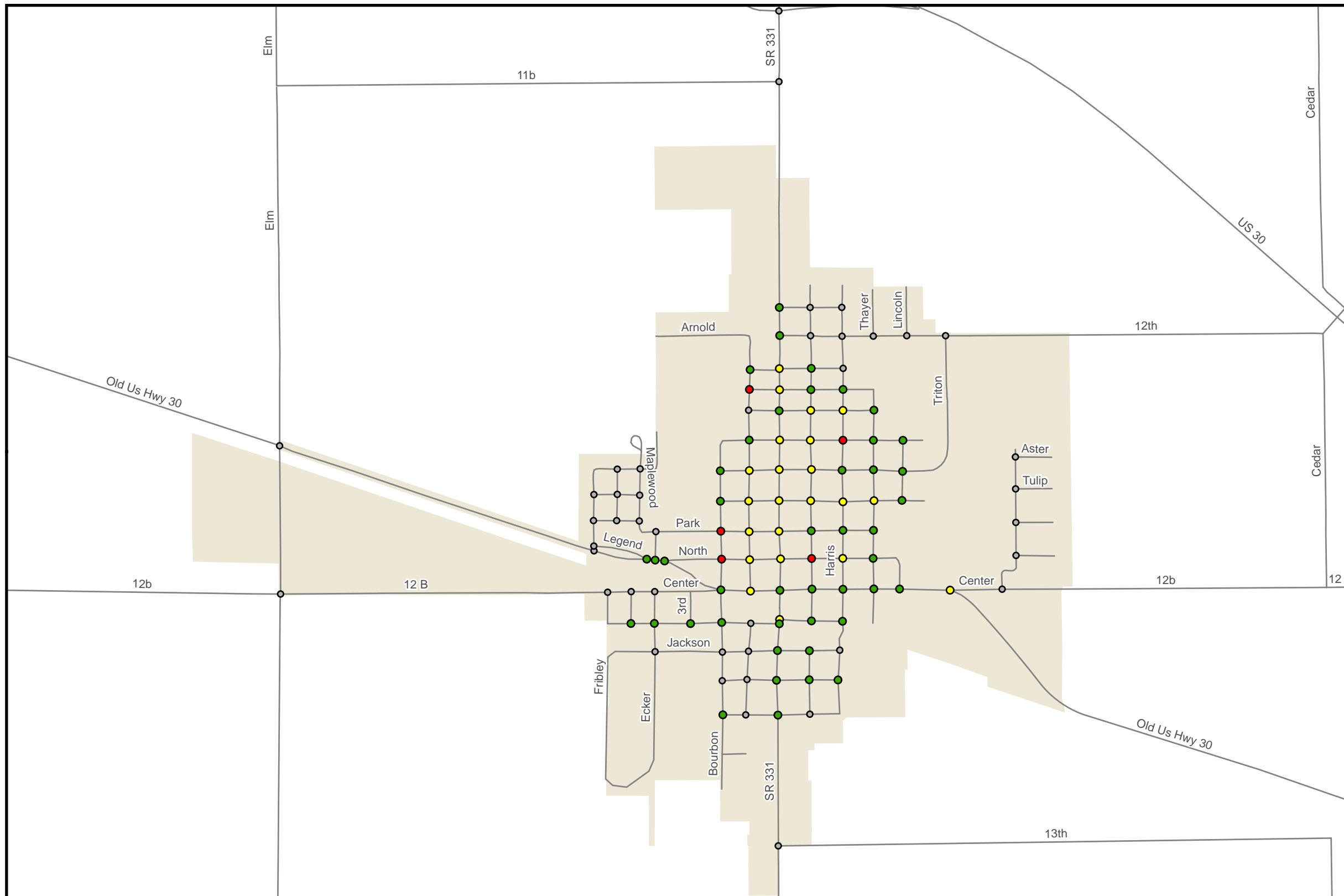
## **ATTACHMENT B**

### **1. ADA PRIORITIES MAP**

### **2. PRIORITY LISTING OF INTERSECTIONS**

# ADA Priorities

## Town of Bourbon



0 0.1 0.2 0.4 Miles

Coordinate grid is based on Indiana East State Plane Coordinate System 1983 North American Datum.

Information shown on this map is not warranted for accuracy or merchantability. Further reproduction or distribution of this material is not authorized without the expressed written permission of MACOG.

### Legend

- Low Priority
- Medium Priority
- High Priority
- No Sidewalks

F:\GIS\Working\ADA\ADA Intersection.mxd



Date Printed: 11/9/2012

Source: Map Source, date of validity, and other relevant information.






# Priority Matrix


## Bourbon


### Total Intersection Per Priority

	1	2	3
Access Grade	Locations serving Government Facilities	Locations serving Commercial & Employment Centers	Locations serving Other Areas
E	0	1	4
D	0	1	16
C	2	3	7
B	1	8	18
A	1	4	5

Legend

High: 

Med: 

Low: 

### Ranking Intersections by Priority

High 5						
ID	N/S Street	E/W Street	Zone	Condition	Priority	Type of Evaluation
5012394	N Washington Street	E North Street	Commercial	44.2	2E	Preliminary
5012359	N Bourbon Street	W Park Avenue	Other	46.7	3E	Preliminary
5012371	N Bourbon Street	W North Street	Other	46.7	3E	Preliminary
5012562	N Harris Street	E Jefferson Street	Other	47.5	3E	Preliminary
5012403	N Thompson Street	W Florence Street	Other	50.0	3E	Preliminary
Med 22						
ID	N/S Street	E/W Street	Zone	Condition	Priority	Type of Evaluation
5012354	N Thompson Street	W North Street	Commercial	51.7	2D	Preliminary
5011907	N Washington Street	E Jefferson Street	Other	51.7	3D	Preliminary
5012390	N Thompson Street	W Sunset Drive	Other	53.3	3D	Preliminary
5012377	N Washington Street	E Liberty Avenue	Other	54.2	3D	Preliminary
5011909	N Harris Street	E North Street	Other	55.0	3D	Preliminary
5011911	Harris Street	Pine Street	Other	55.8	3D	Preliminary
5012392	N Thompson Street	W Liberty Avenue	Other	55.8	3D	Preliminary
5012401	N Washington Street	E Pine Street	Other	55.8	3D	Preliminary
5012388	N Main Street	Liberty Avenue	Other	56.7	3D	Preliminary
5012355	N Thompson Street	W Park Avenue	Other	57.5	3D	Preliminary
5011914	N Harris Street	E Sunset Drive	Other	59.2	3D	Preliminary
5012380	N Washington Street	E Sunset Drive	Other	59.2	3D	Preliminary
5012569	N Thayer Street	E Sunset Drive	Other	60.0	3D	Preliminary
5012358	N Main Street	Jefferson Street	Other	61.7	3D	Preliminary
5012405	N Main Street	Florence Street	Other	61.7	3D	Preliminary
5012389	N Main Street	Sunset Drive	Other	62.5	3D	Preliminary
5012413	N Main Street	College Street	Other	62.5	3D	Preliminary

## Bourbon

5012379	N Main Street	Park Avenue	Government	65.8	1C	Preliminary
5012348	S Main Street	E Quad Street	Commercial	71.7	2C	Preliminary
5012560	Lincoln Street	E Center Street	Commercial	72.5	2C	Preliminary
5012288	N Thompson Street	W Center Street	Commercial	75.0	2C	Preliminary
5012378	N Main Street	North Street	Government	75.0	1C	Preliminary
<b>Low 44</b>						
ID	N/S Street	E/W Street	Zone	Condition	Priority	Type of Evaluation
5012565	N Harris Street	E Park Avenue	Other	64.2	3C	Preliminary
5012356	N Bourbon Street	W Sunset Drive	Other	65.8	3C	Preliminary
5011906	S Washington Street	E Jackson Street	Other	67.5	3C	Preliminary
5012330	S Main Street	Clay Street	Other	68.3	3C	Preliminary
5012584	Lincoln Street	E Sunset Drive	Other	71.7	3C	Preliminary
5012357	N Thompson Street	W Jefferson Street	Other	72.5	3C	Preliminary
5012328	S Washington Street	E Clay Street	Other	73.3	3C	Preliminary
5012404	S.R. 331 Road	Virginia Street	Other	76.7	3B	Preliminary
5012345	S Washington Street	E Quad Street	Commercial	76.7	2B	Preliminary
5012324	S Bourbon Street	W Quad Street	Other	77.5	3B	Preliminary
5012570	N Thayer Street	E Park Avenue	Other	77.5	3B	Preliminary
5011910	N Washington Street	E Park Avenue	Other	77.5	3B	Preliminary
5012333	S Main Street	W Quad Street	Commercial	77.5	2B	Preliminary
5012411	N Main Street	Shaffer Road	Other	78.3	3B	Preliminary
5012352	N Bourbon Street	W Liberty Avenue	Other	78.3	3B	Preliminary
5011908	N Harris Street	E Liberty Avenue	Other	79.2	3B	Preliminary
5012407	N Main Street	Pine Street	Other	79.2	3B	Preliminary
5012548	Lincoln Street	E Center Street	Other	80.0	3B	Preliminary
5011901	Harris Street	E Center Street	Commercial	80.6	2B	Detailed
5012282	Legend Drive	Lincoln Highway	Commercial	81.7	2B	Preliminary
5011912	S Harris Street	E Quad Street	Commercial	82.5	2B	Preliminary
5012567	N Thayer Street	E Liberty Avenue	Other	82.5	3B	Preliminary
5012306	Bourbon Street	Lincoln Highway	Commercial	83.3	2B	Preliminary
5012321	3rd Street	W Quad Street	Other	83.3	3B	Preliminary
5012303	S Bourbon Street	W Douglas Street	Other	83.3	3B	Preliminary
5012365	W North Street	Lincoln Highway	Other	83.3	3B	Preliminary
5012398	N Washington Street	E Florence Road	Other	83.3	3B	Preliminary
5012566	Lincoln Street	E Jefferson Street	Other	83.3	3B	Preliminary
5012346	S Main Street	Jackson Street	Commercial	84.2	2B	Preliminary
5012564	N Thayer Street	E Jefferson Street	Government	84.2	1B	Preliminary

## Bourbon

5012290	Main Street	Center Street	Commercial	85.4	2B	Detailed
5011905	N Harris Street	E Florence Street	Other	85.8	3B	Preliminary
5012550	Thayer Street	E Center Street	Other	85.8	3B	Preliminary
5012399	N Washington Street	E College Street	Other	87.5	3B	Preliminary
5012572	N Thayer Street	E North Street	Other	88.3	3A	Preliminary
5012591	N Thayer Street	E Pine Street	Government	89.2	1A	Preliminary
5012410	N Thompson Street	W College Street	Other	89.2	3A	Preliminary
5012289	Washington Street	E Center Street	Commercial	89.3	2A	Detailed
5012331	S Main Street	Douglass Street	Other	90.0	3A	Preliminary
5012314	S Ecker Avenue	W Quad Street	Commercial	93.3	2A	Preliminary
5012583	Lincoln Street	E Liberty Avenue	Other	93.3	3A	Preliminary
5011902	S Harris Street	E Clay Street	Other	95.0	3A	Preliminary
5012286	Greer Street	W Quad Street	Commercial	95.0	2A	Preliminary
5012363	N Ecker Avenue	Lincoln Highway	Commercial	96.7	2A	Preliminary

## **ATTACHMENT C**

- 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**

RESOLUTION NO. 2012

**A RESOLUTION ADOPTING THE NOTICE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT IN THE TOWN OF BOURBON, INDIANA**

WHEREAS, the Town of Bourbon, Indiana receives Federal funds for many uses and projects; and

WHEREAS, the receipt of such funds requires compliance with Federal laws and policies; and

WHEREAS, it is the wish of the U.S. Equal Employment Opportunity Commission that Municipal entities such as Bourbon formally enact and adopt policies and procedures demonstrating compliance with the Americans With Disabilities Act (ADA); and

WHEREAS, the Town of Bourbon, by its Town Council, wishes to formally adoption and implement the following policy and procedure for the benefit of all Bourbon citizens; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council for the Town of Bourbon that the following declaration become a written policy of the Town of Bourbon, Indiana and be posted in all Municipal Buildings upon passage.

**NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT (ADA)**

The Town of Bourbon adopts the 2010 American with Disabilities Act Standards for Accessible Design and the 2005 Guidelines for Accessible Public Rights. In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Bourbon, Indiana will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The Town of Bourbon, Indiana 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:** The Town of Bourbon, Indiana will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Town of Bourbon'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:** The Town of Bourbon 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 welcomed in the Town of Bourbon 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 the town of Bourbon should contact the Clerk-Treasurer at the Town Hall, (574) 342-4755, as soon as possible but no later than 48 hours before the scheduled event and such auxiliary aid or service for effective communication will be provided as the Town of Bourbon is able.

Complaints that a program, service or activity of the Town of Bourbon is not accessible to persons with disabilities should be directed to Roger Terry, who is hereby designated as an ADA/504 Coordinator and at the Town Hall of Bourbon, Indiana, (574) 342-4755.

The Town of Bourbon 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 BOURBON**  
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 Bourbon.

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:

Mr. Roger Terry  
Head of Bourbon Street Department  
Bourbon Town Hall  
104 East Park Ave.  
Bourbon, Indiana 46504

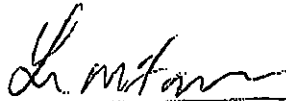
Within 15 calendar days after receipt of the complaint, Mr. Terry or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Mr. Terry or his designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town of Bourbon and offer options for substantive resolution of the complaint.

If the response by Mr. Terry or his 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 of Bourbon, Indiana.

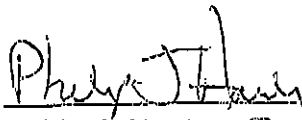
Within 15 calendar days after receipt of the appeal, the Town Council of Bourbon, Indiana will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Town Council of Bourbon or their designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

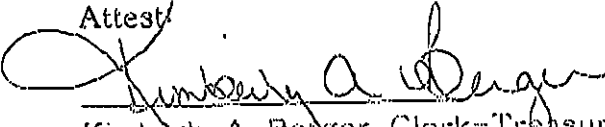
All written complaints received by Mr. Terry, or his designee, appeals to the Town Council of Bourbon, Indiana and responses from these two entities will be retained by the Town of Bourbon for at least three years thereafter.

RESOLVED this 11<sup>th</sup> day of December, 2012.

  
\_\_\_\_\_  
Les McFarland, Town Council President

  
\_\_\_\_\_  
Larry Wattenbarger, Town Council Member

  
\_\_\_\_\_  
Philip J. Hanley, Town Council Member

Attest  
  
\_\_\_\_\_  
Kimberly A. Berger, Clerk-Treasurer



## ATTACHMENT D

### 1. PUBLIC COMMENT AND RESPONSE FORM

**PUBLIC COMMENT AND RESPONSE FORM**

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

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

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

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