

Dougherty County, Georgia



AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN

Approval Date: June 17, 2013

Dougherty County, Georgia

AMERICANS WITH DISABILITIES ACT (ADA)
TRANSITION PLAN

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Section 1: Purpose

Dougherty County, hereinafter referred to as “County” has prepared the subject Transition Plan to comply with the Americans with Disabilities Act (ADA) of 1990 and the Rehabilitation Act of 1973 as amended.

The Plan encompasses the County’s right-of-way and includes streets, roadways, sidewalks, signage, markings, signals, and vehicular pedestrian bridges.

The County complies with the Americans with Disabilities Act of 1990, Public Law 101-336 (ADA). This Act prohibits discrimination on the basis of disability and requires that no qualified individual with a disability shall, on the basis of that disability, be denied the benefits of Dougherty County services, programs, activities or employment with Dougherty County.

In compliance with Section 35, 106 of the ADA’s Title II regulations, all applicants, participants, beneficiaries and other interested individuals may obtain more information at www.ada.gov.

Dougherty County ADA Coordinator (appointed)
Dougherty County Board of Commissioners
PO Box 1827
222 Pine Avenue Ste 540
Albany, Georgia 31702

Section 2: Transition Plan Requirements

Access to civic life by people with disabilities is a fundamental goal of the Americans with Disabilities Act. To ensure that this goal is met, Title II of the ADA requires that local governments offer programs and services that are accessible to persons with disabilities. This requirement extends not only to physical access at government facilities, but also to policy changes governmental entities must consider to ensure that people with disabilities can fully participate in available programs and services.

One important way to ensure that Title II’s requirements are being met is through self-evaluations, as required by ADA regulations. The self-evaluation of each of the County’s physical facilities (Appendix A) will be conducted in conjunction with the execution of this Plan. The County’s appointed ADA Coordinator shall conduct a self-evaluation to identify the modifications or re-locations needed to ensure compliance with the ADA.

Potential issues and barriers identified during the self-evaluations may include the following:

SELF-EVALUATION CHECKLIST

ISSUE	POSSIBLE BARRIERS
Sidewalk and Pathway Clear Width	narrow, below guidelines
Sidewalk and Pathway Cross Slope	steepness, irregularity, variability, warping
Landings Along Sidewalks and Pathways	less than 4 feet by 4 feet
Sidewalk and Pathway Grade	steepness and angle points
Finishes	deterioration of surfaces and/or markings
Gratings	grating type and/or opening
Discontinuities	missing sections, gaps, drops, or steps
Detectable Warning System	missing, inappropriate materials, inadequate size, and/or wrong location
Obstructions	signs, mail boxes, fire hydrants, benches, telephones, traffic signal poles, traffic signal controller boxes, newspaper boxes, drainage structures, tree grates, pole mounted objects, standing water
Traffic Signal Systems	lack of provision for the visually impaired such as inadequate time allowed, inoperable buttons, inaccessible buttons
Curb Ramp	missing, doesn't fall within marked crosswalk, doesn't conform to guidelines
Curb Ramp Flares	missing where required, too steep

Standards set for each of these issues can be found in the US Architectural and Transportation Barriers Compliance Board's *Accessible Rights-of-Way: A Design Guide*, Chapter 3 "*Best Practices in Accessible Rights-of Way Design and Construction.*"

The information gathered through the self-evaluation and inventory process is to represent a baseline so that progress can be monitored and measured. Some of the baseline conditions are as follows:

- Access to parking and entry into facilities themselves;
- Access to a clear and distinct path of travel;
- Access to programs and services themselves;
- Access to public areas and restrooms; and
- Access to related amenities.

Periodic reviews and updates to the Plan will be conducted to ensure ongoing compliance with ADA requirements. Self-evaluation activities at that time would consist of reviewing the plan to determine the level of compliance, and determine if any additional areas of upgrade are needed. If deficiencies are found, they will be catalogued and the Plan updated to detail how and when the barriers to pedestrian access will be removed. In addition, the Plan should include a schedule of improvements needed to upgrade and improve accessibility.

Potential sources of funding for accessibility improvements may include the following:

- Congestion Mitigation/Air Quality Program;
- National Highway System Improvements Program;
- Railway–Highway Crossing Program;
- Recreational Trail Program;
- Safe Routes to School Program;
- Surface Transportation Program; and
- Transportation Enhancement Program

In accordance with the Plan, all new projects, regardless of its funding source, shall include pedestrian elements that are consistent with ADA guidelines.

The goal of the County is to have a Plan that is reviewed periodically to ensure compliance. The Plan will be viewed as a “living document” and updated regularly by the designated ADA Coordinator to reflect changes in conditions and to address any new issues involving non-compliance.

Section 3: Address of Grievance

Any person with a disability or any parent or guardian who represents a minor person with a disability who believes that they have been the subject of disability related discrimination on the basis of the denial of access to facilities, programs or services, may file a grievance.

In compliance with the above requirements, the County has adopted and published the Dougherty County Grievance Policy and Procedure for Disabled Individuals (Appendix B).

Section 4: Action Plan

The Action Plan for ADA compliance shall include County offices, buildings, streets, roadways, sidewalks, signage, markings, and signals. The information is to be obtained by field inspection and/or citizen input. The Action Plan is located as part of Appendix C.

Section 5: Public Outreach

The opportunity for the disabled community and other interested parties to participate in the implementation of the Transition Plan is an integral part of an on-going process. Possible sources of input include activists, advocacy groups, general citizens, elected officials, or other agencies. The dissemination of information to these groups and requests for comments shall be handled via newsletters and the County website (www.dougherty.ga.us).

APPENDIX A

APPENDIX B

DOUGHERTY COUNTY GRIEVANCE POLICY AND PROCEDURE FOR DISABLED INDIVIDUALS ADOPTED PURSUANT TO THE AMERICANS WITH DISABILITIES ACT, 42 U.S.C. 12101, ET SEQ.

I. POLICY

In compliance with the Americans with Disabilities Act, 42 U.S.C. 12101, et seq, 1990, and 28 C.F.R. 35.107 (B), Dougherty County desires to establish a policy for providing disabled individuals a local grievance procedure for resolution of complaints lodged under the Act. It is the County's stated intention that this policy is intended to assist disabled individuals by providing access to the programs, services and facilities of Dougherty County Government.

II. EQUAL OPPORTUNITY AND NON-DISCRIMINATION

All applicants for positions and employees of the county shall be assured of fair and equitable treatment in all aspects of personnel administration, including training, promotion, and disciplinary action, without regard to political affiliation, race, color, national origin, sex, age, disability, or religious creed and with proper regard for their privacy and constitutional rights as citizens. The Human Resources Director shall see that information about job opportunities and the equal employment policy of the county is readily available to all citizens of the county and especially to all potential job applicants. Any applicant or employee who believes that he or she has been discriminated against shall have the right to counsel with the Human Resources Director and to avail himself or herself of the Grievance Procedure outlined in the County's Personnel Policy. The County Commission may adopt an affirmative action plan to formulate actions to correct employment practices which have, or potentially could have, a negative impact upon minority groups or females. While applicants to positions under the jurisdiction of county elected officials and employees of county elected officials are not specifically covered under this section, they are covered by any applicable state or federal laws governing equal opportunity and non-discrimination.

III. ADMINISTRATION

The County as an official portion of this policy and procedure, has established several administrative positions with certain responsibilities as follows:

1. ADA Coordinator. The County Administrator shall designate an individual to serve as ADA Coordinator until his or her successor is appointed. It shall be the duty and responsibility of this individual to maintain all files and records of Dougherty County relating to records, grievances and audits for the prescribed period pursuant to the Americans with Disabilities Act. In addition, the Coordinator shall be responsible for ensuring that the provisions of this Grievance Policy are implemented and conducted fairly under the terms of the Americans with Disabilities Act and 28 C.F.R. 35.107 (B), and as these may be amended from time to time. The Coordinator's name shall be posted on the notices as required by the Act.

IV. PROCEDURE FOR FILING AND CONSIDERING A GRIEVANCE

- A. Any individual desiring to file a grievance shall complete the ADA Grievance Form, which is adopted in the form attached hereto and shown as Appendix "B" herein.
- B. 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 Dougherty County. The County's Personnel Policy governs employment-related complaints of disability discrimination.
- C. 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.
- D. 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:

Michael McCoy
Assistant County Administrator/ADA Coordinator
P. O. Box 1827
Albany, Georgia 31702
229-431-2121
mmccoy@dougherty.ga.us

- E. Within 15 calendar days after receipt of the complaint, The ADA Coordinator will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator will respond in writing, and where appropriate, in a format accessible to the complainant. The response will explain the position of the County and offer options for substantive resolution of the complaint. It shall be the duty of the ADA Coordinator to render timely decisions and to utilize the best efforts to resolve any disputes presented by the grievance regarding matters under the Americans with Disabilities Act and 28 C.F.R. 35.107 (B), and as these may be amended from time to time.
- F. If the response by the ADA Coordinator 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 County Administrator.
- G. Within 15 calendar days after receipt of the appeal, the County Administrator will meet with the complainant to discuss the complaint and possible resolutions.

Within 15 calendar days after the meeting, the County Administrator will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

- H. All written complaints received by the ADA Coordinator designee, appeals to the County Administrator and responses from these two offices will be retained by the County for at least three years.

DOUGHERTY COUNTY BOARD OF COMMISSIONERS

ADA Coordinator
PO Box 1827
222 Pine Avenue Ste 540
Albany, Georgia 31702
(229) 431-2121
(229) 438-3967 (fax)

**Title II of the Americans with Disabilities Act
Section 504 of the Rehabilitation Act of 1973**

Grievance Complaint Form

Instructions: Please fill out this form completely, sign and return to:

Dougherty County ADA Coordinator
Dougherty County Board of Commissioners
PO Box 1827
222 Pine Avenue Ste 540
Albany, Georgia 31702
(229) 431-2121
(229) 438-3967 (fax)

Complainant:

Address:

City, State, Zip Code:

Telephone: Home: _____ Business: _____ Cell: _____

Person Discriminated Against (if other than complainant)

Address:

City, State, Zip Code:

Telephone: Home: _____ Business: _____ Cell: _____

**Grievance Complaint Form
Review and Comment**

ADA Coordinator

Date received: _____ By: _____

Date interview conducted: _____

Investigative process and findings: _____

Action Taken:

ADA Coordinator Signature: _____

SECOND LEVEL – COUNTY ADMINISTRATOR

Date received: _____

Date hearing conducted: _____

Comments:

Action Taken and Date:

Attach any supporting documentation.
Copy to: Department File

APPENDIX C

DOUGHERTY COUNTY ACTION PLAN

#	Location	ADA Action	Funding Source	Cost Estimate	TIME TABLE
	Judicial Building – 225 Pine Ave.	Ground Floor – Braille bathroom signs, scald protection under sinks, lower mirror. Wheelchair seating needed in courtroom for audience, jury and witness stand	General Fund	\$3,000	June 2015
		1st Floor –drinking fountain needs to be changed out. Signage w/ braille for public areas. Door knobs for public service area. Wheelchair access and signage to District Attorney office needed. Restrooms need ADA upgrades.	General Fund	\$6,000	June 2015
		2nd Floor –Superior Court Rm 226 needs wheelchair access to jury box & ADA door handles. Signage and doorknobs needed throughout 2 nd floor offices and court rooms.	General Fund	\$5,000	June 2016
	Government Building – 222 Pine Ave.	Bathroom scald covers for sinks, braille building directory, braille signage to supplement window signs.	General Fund	\$500	June 2015
	Central Square Office Complex – 240 Pine Ave.	Braille signage	General Fund	\$500	June 2016
	Candy Room & RRC – 119 & 125 Pine Ave.	Room signage needs to be lowered, handicap parking sign needs to be higher.	General Fund	\$25	June 2014
	Jackson Street Parking Deck – 124 N. Jackson	Needs an elevator sign w/ braille, raise the height of handicap parking signs.	General Fund	\$25	June 2014
	Bridgehouse – 112 Front St.	Scald protectors needed in women’s restroom	General Fund	\$10	June 2014
	Riverfront Park/Turtle Park/Festival Springs – 110 & 114 Front St.	Handicap ramp at playground needs to be reworked.	General Fund	\$60	June 2017

	Tallulah Massey Library – 2004 Stratford Dr.	Need scald protection and lower mirrors. Braille signage throughout building	General Fund	\$150	June 2016
	Robert Cross Park – 3000 M.L.K. Jr. Dr.	Need ADA Bathrooms. Wheelchair accessible path from parking area. ADA playground equipment areas.	General Fund	\$13,000	June 2017
	Dougherty County Police Dept. – 2106 Habersham Rd	Need ADA men’s restroom. Women’s restroom needs scald protection and signage.	General Fund	\$5,000	June 2017
	Radium Springs – 2501 Radium Springs Rd.	Handicapped Parking sign needs to be raised up	General Fund	\$0	June 2014
	Putney Park – 1108 Antioch Rd.	Restrooms need mirrors, scald protection, and signage	General Fund	\$100	June 2017
	Northwest Library (under renovations) – 2507 Dawson Rd.	Work that has been done is ADA compliant.	General Fund	\$0	Completed
	Elliott Park – 6105 Elliott Dr.	-No ADA parking is designated, no ADA signs for parking, no provision for ADA Van Accessible Parking. -Hard surfaces needed for access to pavilion and playground equipment.	General Fund	\$5,000	June 2017

APPENDIX D

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA) of 1990, the County will not discriminate against qualified individuals with disabilities on the basis of disability in the County's services, programs, or activities.

Employment: Dougherty County 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: Dougherty County 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 County's programs, services, and activities.

Modifications to Policies and Procedures: Dougherty County will make reasonable modifications to policies and procedures to ensure that people with disabilities have an equal opportunity to enjoy all County programs, services, and activities. For example, individuals with service animals are welcomed in County offices, even where pets are generally prohibited.

Notification: Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a County program, service or activity, should contact Michael McCoy, the County's ADA Coordinator, at 229-431-2121 or mmccoy@dougherty.ga.us promptly to allow the County to make reasonable accommodations for those persons.

The ADA does not require the County to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

Complaints that a County program, service, or activity is not accessible to persons with disabilities should be directed to Michael McCoy, County ADA Coordinator, at 229-431-2121 or mmccoy@dougherty.ga.us.

The County 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 or 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.