

## **LIVINGSTON COUNTY AMERICANS WITH DISABILITIES ACT (ADA) PLAN**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), Livingston County will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. ADA regulations require state and local governments to make their programs and services accessible to persons with disabilities. These regulatory requirements focus on providing accessibility by addressing and eliminating structural barriers associated with public facilities.

Livingston 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 Livingston County 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. Anyone requiring auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity should contact the ADA Coordinator as soon as possible but no later than forty-eight (48) hours before the needed accommodation.

Livingston 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 aid/services and/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.

### **ADA TRANSITION PLAN – PUBLIC FACILITIES**

This ADA Plan reflects Livingston County's long-term commitment to ADA compliance, and details the stages of Livingston County's timeline for: (1) evaluating accessibility by identifying any structural barriers associated with public facilities; (2) identifying accommodations and/or modifications that can be provided to make programs and services accessible; and (3) prioritizing the remediation of any deficiencies and formulating a budget and schedule for those improvements.

This Transition Plan will be revised and updated as the steps of the Transition Plan are completed.

As detailed below, Livingston County has made a significant and long-term commitment to improving the accessibility of its public facilities. The purpose of this Plan is to ensure the County identifies prohibited structural barriers to its public facilities, and, where structurally feasible, schedule and implement ADA-required improvements in order to remove those barriers.

The Transition Plan includes the following components:

- 1) Identification of physical barriers in County facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- 2) Identification of the methods to be used to remove any barriers limiting accessibility;
- 3) A schedule for completion of the necessary steps to achieve accessibility in public facilities; and
- 4) Identification of Livingston County's ADA Coordinator.

- **STEP 1: IDENTIFICATION OF PHYSICAL BARRIERS IN LIVINGSTON COUNTY FACILITIES**

The first phase of the ADA Transition Plan is to evaluate Livingston County's public facilities for accessibility. Officials from Planning, Central Services, and Human Resources will coordinate to conduct accessibility evaluations of the following facilities:

- Sidewalks, crosswalks, and curb ramps
- Publicly accessible buildings
- Parking lots serving publicly accessible buildings

For each facility evaluated, a Survey of Livingston County Public Facilities ("the Survey") will be completed. Any deficiencies, suggested improvements, and observations relating to structural feasibility of improvements will be noted and recorded on the Survey.

An Inventory of Public Facilities ("the Inventory") will also be created, and will serve as the central database for identified structural barriers, suggested improvements, and comments relating to structural feasibility of improvements.

#### Evaluation of Sidewalks, Crosswalks, and Curb Ramps

The Survey will contain the following ratings to assess the condition of each Livingston County sidewalk, crosswalk, and curb ramp:

**Rating 1 – Not Applicable:** A facility not considered to require accessibility, for example, limited-access highways.

**Rating 2 – Not Accessible:** Significant discontinuity such as steps, no ramps, more than 100 feet of unpaved walkway, heaving, vertical displacement, other severe distress, flooding, etc.

**Rating 3 – Partially Accessible:** Not designed to current standards, problems with geometry of sidewalks, ramps and landings, no detectable warnings, handrails, etc.

**Rating 4 – Accessible:** May need additional improvements, for example circuitous routes, insufficient width, etc.

**Rating 5 – Fully Accessible:** Designed to current standards, but reasonable accommodations may still be required for individual cases.

### Evaluation of Parking Lots and Publicly Accessible Buildings

For the evaluation of publicly accessible buildings and the parking lots serving those buildings, the Survey will incorporate relevant portions of the ADA Checklist for Existing Facilities (based on the 2010 ADA Standards for Accessible Design), produced by the Institute for Human Centered Design.

### Schedule for Completion

Livingston County officials from its Planning, Central Services, and Human Resources Departments will coordinate to evaluate public buildings, parking lots, sidewalks, crosswalks, and curb ramps. Numerous facilities will be subject to this evaluation, and consequently this will be a substantial undertaking for the reviewing officials. The evaluations will be scheduled so as to evaluate outdoor facilities prior to the winter months (to avoid snow cover that may impede a thorough review), with any remaining evaluations of outdoor facilities to be completed in the following spring and summer months. Evaluations of indoor facilities will continue during the winter months.

- **STEP 2: IDENTIFICATION OF METHODS TO REMOVE BARRIERS**

The second phase of the Livingston County ADA Transition Plan is to develop a method to remove barriers. This includes identification of the nature of needed improvements and a determination regarding structural feasibility of improvements under the ADA standards, and prioritization of necessary improvements.

Once the necessary improvements have been identified and prioritized, this information, along with a list of any improvements determined to be physically unfeasible, will be presented at a public meeting of the Livingston County Compliance Committee. It is the Livingston County Compliance Committee's practice to provide public notice of the dates and agendas of the Compliance Committee meetings on the Livingston County website. This will provide the public with an opportunity to participate in the formulation of the ADA Transition Plan.

#### **A. Nature of Improvements and Structural Feasibility**

The nature of necessary improvements will be determined during Step 2 – the accessibility evaluation of Livingston County facilities – and will be incorporated into the ADA Transition Plan after completion of Step 2. Any improvements that Livingston County officials determine are not structurally feasible, based on ADA regulations, will also be incorporated into the Plan.

#### **B. Priority of Improvements**

### Sidewalks; Crosswalks; Curb Ramps

With respect to sidewalks, crosswalks and curb ramps, the primary focus of this ADA Transition Plan is to address all ADA noncompliant facilities, defined as those locations that have a rating of "2" and "3" on the scale discussed above.

### Parking Lots and Publicly Accessible Buildings

The priority of improvements to parking lots and publicly accessible spaces in Livingston County buildings will be based on the severity of the accessibility barrier and the frequency of public presence at the facility. Notably, the general assessment of Livingston County's Code Enforcement Officer is that the Livingston County Government Center, where the vast majority of public meetings take place, is in substantial compliance with the ADA. All new construction or renovations to existing facilities have complied with ADA standards. As such, Livingston County does not expect that its publicly accessible buildings and parking lots will require major structural improvements.

- **STEP 3: SCHEDULE FOR COMPLETION OF NECESSARY IMPROVEMENTS**

Once the Inventory of Public Facilities has been completed, and necessary improvements have been prioritized as provided above, Livingston County will formulate an estimated budget for the improvements. The schedule for improvements will depend heavily upon the number and severity of the deficiencies identified during the accessibility evaluation, and the costs associated with the improvements. Livingston County however, reiterates its commitment to making its public facilities accessible to all persons, regardless of disability. Livingston County's ADA Transition Plan will outline a specific schedule for improvements after completion of Step 2, and this schedule will reflect Livingston County's commitment to ADA compliance.

### GREIVANCE PROCEDURE

This Grievance Procedure is established to meet the requirements of the ADA and 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 Livingston County.

A written complaint should be filed by the complainant, or his/her designee, as soon as possible but no later than sixty (60) days after the alleged violation. Said written complaint needs to be filed with the ADA Coordinator and should contain information about the alleged discrimination such as name, address, and phone number of the complainant, as well as the location, date and description of the problem. No particular format of the complaint is required. 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.

Within fifteen (15) calendar days after receipt of the complaint, the ADA Coordinator, or his/her designee, will meet with the complainant to discuss the complaint and the possible

resolutions. Within fifteen (15) calendar days of the meeting, the ADA Coordinator, or his/her 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 County's position and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator, or his/her designee, does not satisfactorily resolve the issue, the complainant or his/her designee may appeal the decision within fifteen (15) calendar days after receipt of the response to the Livingston County Administrator.

Within fifteen (15) calendar days after receipt of the appeal, the County Administrator or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with the County's final resolution of the complaint, or indicating that the matter has been returned to the ADA Coordinator or his/her designee for further action. If further response is indicated, the complainant will be contacted within fifteen (15) calendar days.

All written complaints received by the ADA Coordinator, appeals received by the County Administrator, and responses from these two offices will be retained by Livingston County for at least three (3) years.

### **ADA COORDINATOR**

Livingston County ADA Coordinator is the Livingston County Attorney.

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