

**REVISED**

**Commission for Accessibility Meeting Agenda**

**Monday, March 13, 2023 5:00PM Via Zoom** (access information below)

**& In Person: Town Hall Large Conference Room, 400 Main Street**

Should someone need a special accommodation in order to participate in this meeting please contact Karen Gaudian at 203 807-4524.

**Policy: Commission for Accessibility meetings will be conducted under Roberts Rules of Order and all participants are expected to conduct themselves with dignity and treat all those present with respect, empathy and civility.**

Don Ciota is inviting you to a scheduled Zoom meeting.

Topic: Ridgefield Commission for Accessibility

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting <https://us02web.zoom.us/j/89849746946?pwd=am1LeU11REdmU1U1N2lBakJ2QWU3UT09>

Meeting ID: 898 4974 6946

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Find your local number: <https://us02web.zoom.us/u/kdxv86UcFa>

**AGENDA**

5:00 PM. Call to Order

Public Comment

1. ADA Compliance Parking Brief
2. ADA Town Requirements Overview

# ADA Compliance Brief - Restriping Parking Spaces

Last updated: February 28, 2020

When a business or State or local government restripes parking spaces in a parking lot or parking structure (parking facilities), it must provide accessible parking spaces as required by the 2010 ADA Standards for Accessible Design (2010 Standards).

In addition, businesses or privately owned facilities that provide goods or services to the public have a continuing ADA obligation to remove barriers to access in existing parking facilities when it is readily achievable to do so. Because restriping is relatively inexpensive, it is readily achievable in most cases. State and local government facilities also have an ongoing ADA obligation to make their programs accessible, which can require providing accessible parking.

This compliance brief provides information about the features of accessible car and van parking spaces and how many accessible spaces are required when parking facilities are restriped.

**One of six accessible parking space, but always at least one, must be van-accessible**

The required number of accessible parking spaces must be calculated separately for each parking facility, not calculated based on the total number of parking spaces provided on a site. One of six (or fraction of six) accessible parking spaces, but always at least one, must be van accessible.

Parking for hospital outpatient facilities, rehabilitation facilities, outpatient physical therapy facilities or residential facilities have substantially different requirements for accessibility (see 2010 Standards 208.2).

## Minimum Number of Accessible Parking Spaces

Total Number of Parking Spaces Provided in Parking Facility	(Column A) Minimum Number of Accessible Parking Spaces (car and van)	Minimum Number of Van-Accessible Parking Spaces (1 of six accessible spaces)
1 to 25	1	1
26 to 50	2	1
51 to 75	3	1

### ADA – Town Requirements Overview:

[Title II Regulations 28 § 35.106](#)

Information of Accessible Facilities and Programs

Public entities are also required to ensure that interested people, including people with vision or hearing impairments, can obtain information as to the existence and location of accessible services, activities, and facilities. This is an important but frequently overlooked part of the law.

Complaints to the Department of Justice and Other Federal Agencies



## **Required for All Public Entities**

### Self-evaluation

The self-evaluation is the key activity to determine what needs to be done to make sure the public entity is in compliance with the ADA and is providing an equal opportunity for people with disabilities to participate. The self-evaluation was required to be completed by January 26, 1993. Because changes were made to the Title II regulations and the ADA Standards for Accessible Design in 2010, an updated self-evaluation is recommended.

To conduct a self-evaluation:

Identify all programs, activities, and services and their locations.

1. Survey facilities and determine whether there are physical barriers to access programs. If structural changes are needed, include them in the transition plan.
2. Determine whether employees and officials are familiar with the public entity's ADA obligations.
3. Determine whether employees and officials know how to arrange for auxiliary aids and services, such as sign language interpreters, material in Braille and assistive listening systems; to ensure that communication with people with disabilities is as effective as others.
4. Review service, activity and program's policies and procedures to determine whether they ensure an equal opportunity for people with disabilities to participate and benefit.

After the self-evaluation, determine what actions are needed to bring the public entity into compliance. The actions may require the public entity to: Add or change policies or procedures; purchase auxiliary aids, such as an assistive listening device; identify places to arrange for auxiliary services, such as sign language interpreters; and provide training for staff on ADA obligations and the public entity's procedures for responding to requests and resolving complaints.

If structural changes to facilities are needed to ensure program access, such as adding a ramp to an entrance, installing Braille and raised character signage, or altering a toilet room, public entities with 50 or more employees must develop a transition plan (which will be addressed in item below).

### [Title II Regulations 28 § 35.105](#)

#### Provide Public Notice About the ADA

All public entities must provide information to the public, program participants, program beneficiaries, applicants and employees about the ADA and how it applies to the public entity. Here are some methods that public entities have used over the last 25 plus years.

#### **Methods**

- Include the notice on the public entity's website (make sure the site is accessible).
- Post the notice at facilities.
- Publish the notice in local newspapers.
- Broadcast the notice in public service announcements on local radio and television stations.
- Include the notice in program and activity handouts.
- Post the notice on Facebook.
- Disseminate the notice through other social media such as Twitter and Pinterest.

The information must be provided in "alternative" formats so that it is accessible to people with hearing and vision disabilities.

### **Examples of Alternative Formats**

- Open or closed-captioned public service announcements on television
- Large print (recommend: sans-serif typeface such as Helvetica or Arial, 18 point font)
- Text file on a thumb disk or emailed to the person
- HTML format on an accessible website
- Radio announcements

Public entities must provide the information not just once, but on an ongoing basis. Changes to the notice should be made as necessary, for example when there's a new ADA Coordinator.

### **Sample Notices ([hyperlink to](#))**

#### [Title II Regulations 28 § 35.106](#)

Information of Accessible Facilities and Programs

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Complaints to the Department of Justice and Other Federal Agencies

A complaint may be filed with either --

- A federal agency that provides funding to the public entity that is the subject of the complaint;
- A federal agency designated in the Title II regulation to investigate Title II complaints; or
- The Department of Justice.

The designated federal agencies are as follows:

- Department of Agriculture
- Department of Education
- Department of Health and Human Services
- Department of Housing and Urban Development
- Department of Interior
- Department of Justice
- Department of Labor
- Department of Transportation

Civil Lawsuits

An individual may go directly to court. Title II does not require complainants to go through the federal administrative process before suing. The complainant may recover attorney's fees in addition to injunctive relief, if the person prevails. Injunctive relief is an equitable remedy in the form of a court order that compels a party to do or refrain from specific acts. Under Title II it could be ordering a public entity to provide a sign language interpreter for someone who is deaf or modifying a policy so that service animals are permitted in public buildings.

Compensatory damages (money) are available only if a plaintiff can prove that the discrimination by the public entity was intentional, which means conduct that results from deliberate indifference to the rights of the individual or actual malice. This is a high threshold to meet.

The prevailing party may also recover attorney's fees at the court's discretion.

#### [Title II Regulations 28 § 35.172](#)

A complaint may be filed with either --

- A federal agency that provides funding to the public entity that is the subject of the complaint;
- A federal agency designated in the Title II regulation to investigate Title II complaints; or
- The Department of Justice.