

## **Attachment F: Program Access in Existing Facilities**

Paragraph 26 of the Agreement requires that within three months of the effective date of this Agreement, the City will provide signage as necessary to comply with 28 C.F.R. § 35.163(b), after having surveyed all facilities that are the subject of this Agreement for the purpose of identifying those that have multiple entrances not all of which are accessible.

1. The technical requirements and, where appropriate, the scoping requirements of the Standards are used as a guide for determining whether a program or activity held in an existing facility is “readily accessible to and usable by” persons with disabilities and for determining what changes are necessary to make this program or activity accessible if it continues to be provided in the existing facility in question. See 28 C.F.R. §§ 35.150(b)(1), 35.151.
2. In order to ensure that each of the City’s programs, services, and activities operating at a facility that is the subject of this Agreement, when viewed in its entirety, are readily accessible to and usable by persons with mobility impairments, the City will take the following actions:
3. The City will make the following modifications to the **City Hall Annex** located at 745 North West Bond Street, within three years of the effective date of this Agreement:
  - A. Men’s Locker Room
    - i. The door is inaccessible because knob hardware is used. Provide a door with hardware that is easy to grasp with one hand and that does not require tight grasping, pinching, or twisting of the wrist to operate. Lever-operated mechanisms, push-type mechanisms, and U-shaped handles are acceptable designs. Standards § 4.13.9.
    - ii. The lavatories are inaccessible because their rims are 36 ½ inches above the finished floor and there is no knee or toe clearance. Provide a lavatory with the top of its rim or counter 34 inches or less above the finished floor; the bottom edge of the apron at least 29 inches above the finished floor; knee and toe clearances that comply with Fig. 31; hot water and drain pipes covered or otherwise configured to protect against contact; clear floor space at least 30 inches wide and 48 inches deep centered on the lavatory. Standards §§ 4.19.2, 4.19.3, 4.19.4, 4.19.5, 4.27.4, Figs. 31, 32.
    - iii. The designated accessible stall is inaccessible because it is an “alternate” stall. Provide a “standard” accessible toilet stall at least 60 inches wide and at least 59 inches deep (or at least 56 inches deep with a wall-mounted toilet) such that all of the stall’s elements, including stall door, stall door hardware, water closet, size and arrangement, toe clearances, grab bars,

controls, and dispensers, comply with the Standards. Standards §§ 4.13, 4.16, 4.17, 4.26, 4.27, Fig. 30.

B. Women's Locker Room

- i. The door is inaccessible because knob hardware is used. Provide a door with hardware that is easy to grasp with one hand and that does not require tight grasping, pinching, or twisting of the wrist to operate. Lever-operated mechanisms, push-type mechanisms, and U-shaped handles are acceptable designs. Standards § 4.13.9.
- ii. The route to the lavatories and designated accessible stall is inaccessible because it is obstructed by boxes. Provide an accessible route to the lavatories and designated accessible stall with a minimum clear width of 36 inches. Standards § 4.3.3.
- iii. The lavatories are inaccessible because their rims are 35 inches above the finished floor, there is no knee or toe clearance, and they have twist controls. Provide a lavatory with the top of its rim or counter 34 inches or less above the finished floor; the bottom edge of the apron at least 29 inches above the finished floor; knee and toe clearances that comply with Fig. 31; hot water and drain pipes covered or otherwise configured to protect against contact; clear floor space at least 30 inches wide and 48 inches deep centered on the lavatory; and a faucet that can be operated with 5 pounds of force or less and can be used with one hand and without tight grasping, pinching, or twisting of the wrist (lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs). Standards §§ 4.19.2, 4.19.3, 4.19.4, 4.19.5, 4.27.4, Figs. 31, 32.
- iv. The designated accessible stall is inaccessible because it is an "alternate" stall. Provide a "standard" accessible toilet stall at least 60 inches wide and at least 59 inches deep (or at least 56 inches deep with a wall-mounted toilet) such that all of the stall's elements, including stall door, stall door hardware, water closet, size and arrangement, toe clearances, grab bars, controls, and dispensers, comply with the Standards. Standards §§ 4.13, 4.16, 4.17, 4.26, 4.27, Fig. 30.

4. The City will make the following modifications to its **Public Parking Lots**, within one year of the effective date of this Agreement:

A. Louisiana Avenue and Wall Street Parking Lot and City Hall Parking

- i. Although the Louisiana/Wall parking lot has a total of 68 parking spaces, there are none reserved for people with disabilities. Provide at least 3

standard spaces designated as reserved for people with disabilities in the City Hall parking lots. Provide standard accessible spaces that are a minimum of 96 inches wide and served by access aisles at least 60 inches wide. At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. Provide spaces and access aisles for persons with disabilities that are flat and level, with slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm, stable, and slip-resistant. Standards §§ 4.1.2(5), 4.6, 4.30.7(1).

B. Gasoline Alley Parking Lot

- i. Although the parking lot has a total of 26 parking spaces, there are none reserved for people with disabilities. Provide at least one van accessible space and at least one standard space designated as reserved for people with disabilities. Provide standard accessible spaces that are a minimum of 96 inches wide and served by access aisles at least 60 inches wide. Provide van accessible spaces that are a minimum of 96 inches wide and served by access aisles at least 96 inches wide. At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. At van accessible spaces, provide an additional “Van-Accessible” sign located below the International Symbol of Accessibility. Provide spaces and access aisles for persons with disabilities that are flat and level, with slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm, stable, and slip-resistant. Standards §§ 4.1.2(5), 4.6, 4.30.7(1).

C. Mirror Pond Parking Lot

- i. The two parking spaces reserved for persons with disabilities that have 60 inch access aisles are improperly designated with van accessible signage. Provide signage at these spaces without an additional “Van-Accessible” sign located below the International Symbol of Accessibility. Standards §§ 4.6.4, 4.30.7(1).

5. The City will make the following modifications the **Department of Public Works** located at 1375 North East Forbes Street, within two years of the effective date of this Agreement:

A. Public Parking

- i. Although the parking lot has a total of 30 parking spaces, with two spaces

being reserved for persons with disabilities, none are van accessible. On the shortest accessible route to the accessible entrance, and in addition to an existing standard accessible parking space, provide at least one van accessible space a minimum of 96 inches wide, served by access aisles at least 96 inches wide, with vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles, and with an additional “Van-Accessible” sign located below the International Symbol of Accessibility. Standards §§ 4.1.2(5)(b), 4.6, 4.30.7(1).

- ii. The two parking spaces reserved for persons with disabilities lack appropriate signage and their pavement markings are unclear. At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. At van accessible spaces, provide an additional “Van-Accessible” sign located below the International Symbol of Accessibility. Provide spaces and access aisles for persons with disabilities that are flat and level, with clear pavement marking, slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm, stable, and slip-resistant. Standards §§ 4.1.2(5), 4.6, 4.30.7(1).

#### B. Drinking Fountain

- i. Although an accessible drinking fountain is provided, there is no drinking fountain provided for people who have difficulty bending or stooping. For each accessible drinking fountain, provide a drinking fountain that is accessible to people who have difficulty bending or stooping. This can be accommodated by the use of a “hi-lo” fountain; by providing one fountain accessible to those who use wheelchairs and one fountain at a standard height convenient for those who have difficulty bending; by providing a fountain accessible to people who use wheelchairs and a cup dispenser, or by such other means as would achieve the required accessibility for each group of people. Standards § 4.1.3(10)(a).

#### C. Men’s Toilet Room

- i. The toilet room sign is inaccessible. Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.

- ii. The door is inaccessible because it has an opening width of only 29 inches. Provide a door with a clear opening of 32 inches with the door open 90 degrees, measured between the face of the door and the opposite stop. Standards § 4.13.5, Fig. 24.
- iii. The door is inaccessible because the pressure required to open the door is 10 pounds. Provide a door that requires no more than 5 pounds of force to open. Standards § 4.13.11(2)(b).
- iv. The door is inaccessible because knob hardware is used. Provide a door with hardware that is easy to grasp with one hand and that does not require tight grasping, pinching, or twisting of the wrist to operate. Lever-operated mechanisms, push-type mechanisms, and U-shaped handles are acceptable designs. Standards § 4.13.9.
- v. No accessible mirror has been provided. Provide a mirror with the bottom edge of its reflecting surface no more than 40 inches above the finished floor. Standards § 4.19.6.
- vi. The paper towel dispenser is inaccessible because the controls are mounted at 54 inches above the finished floor and over the lavatory. Provide a paper towel dispenser such that the controls comply with Fig. 5 for a forward reach or with Fig. 6 for a side reach and such that it is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach, respectively, by a person using a wheelchair. Standards §§ 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6.
- vii. The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards § 4.19.4.
- viii. The lavatory is inaccessible because there is insufficient clear floor space. Provide a lavatory with clear floor space at least 30 inches wide and 48 inches deep centered on the lavatory. Standards § 4.19.3, Fig. 32.
- ix. The lavatory is inaccessible because it has twist controls. Provide a lavatory with a faucet that can be operated with 5 pounds of force or less and can be used with one hand and without tight grasping, pinching, or twisting of the wrist (lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs). Standards §§ 4.19.5, 4.27.4.

- x. There is no accessible stall provided. Provide a “standard” accessible toilet stall at least 60 inches wide and at least 59 inches deep (or at least 56 inches deep with a wall-mounted toilet) such that all of the stall’s elements, including stall door, stall door hardware, water closet, size and arrangement, toe clearances, grab bars, controls, and dispensers, comply with the Standards. Standards §§ 4.13, 4.16, 4.17, 4.26, 4.27, Fig. 30.

D. Women’s Toilet Room

- i. The toilet room sign is inaccessible. Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.
- ii. The door is inaccessible because it has an opening width of only 29 inches. Provide a door with a clear opening of 32 inches with the door open 90 degrees, measured between the face of the door and the opposite stop. Standards § 4.13.5, Fig. 24.
- iii. The door is inaccessible because the pressure required to open the door is 16 pounds. Provide a door that requires no more than 5 pounds of force to open. Standards § 4.13.11(2)(b).
- iv. The door is inaccessible because knob hardware is used. Provide a door with hardware that is easy to grasp with one hand and that does not require tight grasping, pinching, or twisting of the wrist to operate. Lever-operated mechanisms, push-type mechanisms, and U-shaped handles are acceptable designs. Standards § 4.13.9.
- v. No accessible mirror has been provided. Provide a mirror with the bottom edge of its reflecting surface no more than 40 inches above the finished floor. Standards § 4.19.6.
- vi. The paper towel dispenser is inaccessible because the controls are mounted at 55 inches above the finished floor and over the trash can and shelving unit. Provide a paper towel dispenser such that the controls comply with Fig. 5 for a forward reach or with Fig. 6 for a side reach and such that it is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach, respectively, by a person using a wheelchair. Standards §§ 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6.

- vii. The lavatory is inaccessible because there is no knee or toe clearance and it has twist controls. Provide a lavatory with the top of its rim or counter 34 inches or less above the finished floor; the bottom edge of the apron at least 29 inches above the finished floor; knee and toe clearances that comply with Fig. 31; hot water and drain pipes covered or otherwise configured to protect against contact; clear floor space at least 30 inches wide and 48 inches deep centered on the lavatory; and a faucet that can be operated with 5 pounds of force or less and can be used with one hand and without tight grasping, pinching, or twisting of the wrist (lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs). Standards §§ 4.19.2, 4.19.3, 4.19.4, 4.19.5, 4.27.4, Figs. 31, 32.
- viii. There is no accessible stall provided. Provide a “standard” accessible toilet stall at least 60 inches wide and at least 59 inches deep (or at least 56 inches deep with a wall-mounted toilet) such that all of the stall’s elements, including stall door, stall door hardware, water closet, size and arrangement, toe clearances, grab bars, controls, and dispensers, comply with the Standards. Standards §§ 4.13, 4.16, 4.17, 4.26, 4.27, Fig. 30.

E. Conference Room

- i. The door is inaccessible because knob hardware is used. Provide a door with hardware that is easy to grasp with one hand and that does not require tight grasping, pinching, or twisting of the wrist to operate. Lever-operated mechanisms, push-type mechanisms, and U-shaped handles are acceptable designs. Standards § 4.13.9.
- ii. The conference room is inaccessible to people with hearing impairments because it does not have an assistive listening system. Provide a permanently installed assistive listening system (ALS) or a portable ALS with an adequate number of electrical outlets or other supplementary wiring necessary to support a portable assistive listening system. Also provide a minimum of 2 receivers for use by the general public and signage indicating their availability. Standards §§ 4.30, 4.33.

F. Main Reception Counter

- i. The reception counter is inaccessible because it is 42 inches above the finished floor. Provide a counter on an accessible route such that a portion of the counter is at least 36 inches wide and no more than 36 inches above the finished floor, or provide an auxiliary counter with a maximum height of 36 inches in close proximity to the main counter, or provide equivalent facilitation. Equivalent facilitation may be provided in the form of a

folding shelf attached to the main counter, an auxiliary table nearby, a clip board made available to the public, or other means. Standards §§ 7.2(2), 4.3.