



AMERICANS WITH DISABILITIES ACT TRANSITION PLAN

September 24, 2013

I. INTRODUCTION

Title II of the "Americans with Disabilities Accessibility Act of 1990" (ADA) is a legal requirement that applies to public entities including city governments. Title II of the ADA requires non-discrimination on the basis of disability in the provision of the City's programs, services, and activities and requires that individuals with disabilities have access to all of the City's programs, services and activities. Program accessibility means that each program, service, or activity is accessible to, and usable by, individuals with disabilities such as individuals with mobility, speech, cognition, vision and/or hearing impairments.

II. PURPOSE

The purpose of this ADA Transition Plan is to ensure that all of the citizens of the City of Powder Springs are provided full access to the City's programs, services and activities in as timely a fashion as is reasonably possible and to improve the City's ability to accommodate disabled persons who are residents of Powder Springs.

The ADA Transition Plan is intended to achieve the following: (1) identify physical obstacles that limit the accessibility of facilities to individuals with disabilities, (2) describe the methods to be used to make the facilities accessible, (3) provide a schedule for making the access modifications, and (4) identify the public officials responsible for implementation of the Transition Plan. There is a requirement to update the ADA Transition Plan periodically until all accessibility barriers are removed.

III. STATEMENT OF ACCESSIBILITY AND OTHER STEPS TOWARD ADA COMPLIANCE

The City of Powder Springs shall make reasonable modifications in policies, practices and/or procedures when necessary to avoid discrimination on the basis of disability, unless the City can demonstrate that making the modifications would fundamentally alter the nature of the service, program or activity or would result in an unreasonable burden for the City. The City of Powder Springs will not place surcharges on individuals with a disability to cover the cost involved in making programs accessible.

Steps have been taken by the City of Powder Springs in order to prepare this ADA Transition Plan and to become compliant with the ADA. These steps include:

- Completion of a self-evaluation checklist (Appendix A);
- Preparation of a Statement of Non-discrimination (Appendix B);
- Provision of the Statement of Non-discrimination in recruitment materials or publications containing general information that it makes available to participants, beneficiaries, applicants and/or employees;

- Establishment of an ADA non-compliance grievance procedure (Appendix C) including the preparation of ADA non-compliance grievance forms (Appendices D and E);
- Designation of an ADA Coordinator (see Appendices A, B, C, D and E);
- Immediate removal of certain identified barriers in the City's programs, services, and activities (see Appendix F);
- Preparation of an ADA Transition Plan Action Log to address scheduled removal of identified barriers (see Appendix G); and
- Provision of this ADA Transition Plan and its appendices on the City's web-site for availability to the public for review and comment.

The City of Powder Springs' facilities, programs, services, policies, practices and procedures will be updated approximately every three years, if needed, and the ADA Transition Plan may be revised to account for changes to the City's activities. The ADA Transition Plan and subsequent updates will be posted to the City's website for review and comment by the public.

IV. BARRIERS IDENTIFIED DURING SELF-EVALUATION/ASSESSMENT

A. PHYSICAL BARRIERS

The City owns the following properties and/or locations from which it offers programs, activities, and/or services:

- City Hall, 4484 Marietta Street;
- Community Development, 4488 Pineview Drive;
- Court Services, 4483 Pineview Drive;
- Police Headquarters, 1114 Richard D. Sailors Parkway;
- Powder Springs Library, 4181 Atlanta Street;
- Public Works, 3006 Springs Industrial Way;
- Coach George E. Ford Community Center, 4181 Atlanta Street;
- Powder Springs Senior Citizens Center, 4181 Atlanta Street;
- Ford Center Theater, 4181 Atlanta Street;
- Seven Springs Museum, 3901 Brownsville Road; and
- Public transportation rights-of-way.

A self-evaluation/assessment of each of the City's facilities has been conducted for each of the facilities listed above, with the exception of the Ford Center Theater. The theater is currently under construction and will be ADA compliant before it is opened to the public. Each of the City's remaining facilities has been reviewed in light of several baseline conditions, including:

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

The self-evaluation/assessment of each of the City's facilities revealed that the majority of the City's facilities successfully meet ADA accessibility requirements. The following is a listing of the physical barriers that were identified in the self-evaluation/assessment followed in parenthesis by the section in this document where you can find more information about the City's plan for removing the specified barrier:

- Several physical barriers were removed immediately after identification and are discussed in further detail below (V. Resolution, part A. Immediate Removal of Barriers);
- The public is not informed of the architectural accessibility of the public buildings for persons with disabilities (V. Resolution, part B. Scheduled Removal of Barriers);
- Places of public accommodation with door handles that are hard to open or require grasping, pinching or twisting of wrists. These places include the City Hall entrance, the Community Development entrance and restrooms, Police Headquarters restroom, the Senior Center entrance, the museum entrance and bathrooms, and the Public Works restroom (V. Resolution, part B. Scheduled Removal of Barriers);
- Places of public accommodation with alarms that do not give a visual signal in addition to an audible signal. These places include Public Works and the Community Development building (V. Resolution, part B. Scheduled Removal of Barriers);
- Community Development building has one handicap accessible entrance on south façade facing Marietta Street. The other public entrances need signage indicating accessible entrance (V. Resolution, part B. Scheduled Removal of Barriers);
- Community Development building has poor or limited access to the water fountain, restrooms and restroom facilities, as well as the staff's break-room facilities (V. Resolution, part B. Scheduled Removal of Barriers);
- The museum has several ADA incompatibility issues regarding the entry door, the restroom and restroom facilities, and access to displays (V. Resolution, part C. Unscheduled Removal of Barriers).
- Approximately 15% of the existing sidewalks in the City of Powder Springs are out of compliance and approximately 60% of the existing ADA ramps are out of compliance (V. Resolution, part C. Unscheduled Removal of Barriers).

B. PROGRAMMATIC BARRIERS

The City recognizes that not all barriers to the City's programs, services and activities are physical in nature. Other administrative barriers exist that must be overcome to provide complete government services to those who are disabled including the provision of programs, services and activities as well as opportunities for employment.

The City of Powder Springs incorporates steps to ensure that communications with people with disabilities are as effective as communications with others so that its programs may be accessible to all Powder Springs citizens. The City of Powder Springs is committed to allowing persons with disabilities to participate in municipally sponsored programs.

The City of Powder Springs has not received complaints, or been made aware of, any concerns or issues regarding non-compliance of ADA which has made communication difficult or non-accessible between the City and people with disabilities. Furthermore, the City has not received complaints, or been made aware of, any concerns or issues regarding non-compliance of ADA which has made the inclusion of persons with disabilities into a municipally sponsored program difficult. However, it has been the City's non-written policy to address any issues or concerns that arise on an individual basis as appropriate to conform to the individual situation and overcome the barrier(s).

Each of the City's programs has been reviewed in light of several baseline conditions, including:

- Recruitment and advertisement;
- Program eligibility requirements and admission;
- Program participation; and
- Staffing and facilities.

The self-evaluation/assessment of each of the City's programs and policies revealed that the majority of the programs and policies successfully meet ADA accessibility requirements. The following is a listing of each of the programmatic barriers that were identified in the self-evaluation assessment followed in parenthesis by the section in this document where you can find more information about the City's plan for removing the specific barrier:

- Several programmatic barriers were removed immediately after identification and are discussed in further detail below (V. Resolution, part A. Immediate Removal of Barriers);
- The City does not have a documented emergency evacuation procedure that includes specific provisions for evacuating people with disabilities at several of its facilities including City Hall, the Police Headquarters, the museum, and Court Services, (V. Resolution, part B. Scheduled Removal of Barriers).
- City staff would benefit from training or technical assistance in: developing policies and procedures, how to work with people with disabilities, training in legal

requirements, providing accommodations, and resources for alternative formats and auxiliary aids (V. Resolution, part B. Scheduled Removal of Barriers).

V. RESOLUTION

The physical and programmatic barriers that affect the accessibility of persons with disabilities to the City's programs, services and activities have been addressed in three ways: immediate removal of barriers, scheduled removal of barriers, and unscheduled removal of barriers. The City officials who would be responsible for ensuring that the identified barriers are removed in a timely fashion would be the City Manager in coordination with the Community Development Director and the ADA Coordinator.

A. IMMEDIATE REMOVAL OF BARRIERS

The City of Powder Springs was able to remove some of the physical and programmatic barriers immediately once they were identified with the immediate modification of policies, procedures, and/or practices. These barriers and the steps that have been taken to remove them can be found in Appendix F.

B. SCHEDULED REMOVAL OF BARRIERS

The City of Powder Springs has instituted an ADA Action Log, documenting its efforts to comply with the ADA. At a minimum, the Action Log identifies items that are not ADA compliant and will include anticipated completion dates. The ADA Action Log also includes actions that were proposed by the City prior to conducting the self-evaluation/assessments.

The ADA Action Log will be updated on an annual basis and shall be available upon request (see Appendix G).

C. UNSCHEDULED REMOVAL OF BARRIERS

Since specific time frames and funding availability cannot be determined at this time, the following improvements are not included in the ADA Action Log. These barriers will be addressed in future updates of the ADA Transition Plan as funds become available.

The self-evaluation/assessment identified several ADA incompatibility issues at the Seven Springs Museum. These issues include, but are not limited to, the following: entry and restroom doors have handles that require grasping, pinching or twisting of wrist; aisles are less than 36" wide; restroom door does not provide 32" clearance; no grab bars at toilet; restroom sink does not have grippable faucets; restroom hot water and drain lines are not insulated; restroom mirror is mounted higher than 40" above floor; and, the exhibits and/or displays are not offered in alternative formats.

Approximately 15% of the existing sidewalks in the City of Powder Springs are out of compliance and approximately 60% of the existing ADA ramps are out of compliance. These

facilities will be brought into compliance as funds become available. Each time the City overlays or reconstructs a street, it will, subject to the availability of funding, ensure that compliant curb ramps are installed at each intersection as part of the overlay or reconstruction project. In addition to curb ramp installation, each street overlay or reconstruction project shall include repairs to existing pedestrian pathways, curb and gutter and mediation of obstructions to pedestrian travel.

VI. CONCLUSION

The City continues to look for a timely removal of barriers to access in an effort to ensure that the disabled citizens of Powder Springs are given access to the City's programs, services and activities.

The City of Powder Springs ADA Transition Plan is hereby approved and adopted this day,

_____, 2013

Patricia Vaughn, Mayor
City of Powder Springs

APPENDIX A

Self Evaluation Checklist

ADA Self-Evaluation 2013

Name of City/County and/or Activity: City of Powder Springs, GA

Address: Post Office Box 46, Powders Springs, GA 30127

Number of Employees: Approximately 120

1. Do you have a statement that prohibits discrimination on the basis of disability in the provision of or administration to your programs, services and activities as required by the Title II ADA and Section 504 regulations (statement of non-discrimination)?

Yes X

No

2. Have you designated an employee responsible for compliance with the regulations (Coordinator)?

Yes X

No

3. Have you informed the public of the name, title, office address, and phone number of the coordinator?

Yes X

No

4. Is your statement of non-discrimination included in recruitment materials or publications containing general information that it makes available to participants, beneficiaries, applicants or employees?

Yes X

No

Signature: _____ Title: _____

Date: _____

Return to: Georgia Department of Transportation
Equal Employment Opportunity Office
600 West Peachtree Street, NW, 7th Floor
Atlanta, GA 30308
Phone: (404) 631-1272
Fax: (404) 631-1943
Attention: Cartrell Kelson-Jackson

APPENDIX B

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

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

Employment: The City of Powder Springs 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 City of Powder Springs 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 City of Powder Springs' programs, services and activities to help ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others.

Modifications to Policies and Procedures: The City of Powder Springs 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 City of Powder Springs offices, even where pets are generally prohibited.

Anyone who requires auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service or activity of the City of Powder Springs, should contact the Powder Springs ADA Coordinator as soon as possible but no later than 48 hours before the scheduled event. The ADA Coordinator's contact information is as follows:

Ms. Dawn R. Davis, City Clerk
4484 Marietta Street
P.O. Box 46
Powder Springs, GA 30127
ddavis@cityofpowdersprings.org
Phone: (770) 943-4349
Fax: (770) 943-8003
Hours: Monday - Friday, 8:00am - 5:00pm

The ADA does not require the City of Powder Springs 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 program, service or activity of the City of Powder Springs is not accessible to persons with disabilities should be directed to the Powder Springs ADA Coordinator (contact information above).

The City of Powder Springs 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.

APPENDIX C

Grievance Procedures under The Americans with Disabilities Act



Grievance Procedures 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 City of Powder Springs. The City of Powder Springs' 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 the Powder Springs ADA Coordinator whose contact information is as follows:

Ms. Dawn R. Davis, City Clerk
4484 Marietta Street
P.O. Box 46
Powder Springs, GA 30127
ddavis@cityofpowdersprings.org
Phone: (770) 943-4349
Fax: (770) 943-8003
Hours: Monday - Friday, 8:00am - 5:00pm

Within 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 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

position of the City of Powder Springs 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 and/or his/her designee may appeal the decision with 15 calendar days after receipt of the response to the City Manager or his designee.

Within 15 calendar days after receipt of the appeal, the City Manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Manager 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 the ADA Coordinator or her designee, appeals to the City Manager or his/her designee, and responses from these two offices will be retained by the City of Powder Springs for at least three years.

APPENDIX D

ADA Employee Grievance Form



ADA Employee Grievance Form

Name: _____

Address: _____

Phone
Number: _____

E-mail
Address: _____

Location of
Problem: _____

Date
Noticed: _____

Nature of
Grievance _____

****Please attach additional pages if needed.***

The grievance form should be submitted by the grievant and/or his designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Ms. Dawn R. Davis, City Clerk
4484 Marietta Street
P.O. Box 46
Powder Springs, GA 30127
ddavis@cityofpowdersprings.org
Phone: (770) 943-4349
Fax: (770) 943-8003
Hours: Monday - Friday, 8:00am - 5:00pm

For Office Use Only:

Date Interview conducted with employee: _____

Investigative process and findings: _____

Action Taken:

Additional Comments:

Department Head Signature: _____

ADA Representative Signature: _____

Employee Signature: _____

APPENDIX E

ADA Discrimination Complaint Form



Ms. Dawn R. Davis, ADA Coordinator
4484 Marietta Street
P.O. Box 46
Powder Springs, GA 30127
ddavis@cityofpowdersprings.org
Phone: (770) 943-4349
Fax: (770) 943-8003
Hours: Monday - Friday, 8:00am - 5:00pm

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

Please complete form completely and legibly, sign and return to ADA Coordinator.

Full Name: _____

Address: _____ Apt. # _____

City: _____ State: _____ Zip: _____

Home #: _____ Cell #: _____ Business #: _____

Person Discriminated Against (if different from above): _____

Address: _____ Apt. # _____

City: _____ State: _____ Zip: _____

Home #: _____ Cell #: _____ Business #: _____

When did discrimination occur? Date: _____

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Yes _____ No _____

Contact person name and title: _____

State: _____ Zip: _____ Telephone: _____

If yes, agency or court? _____ Date filed: _____

Contact person name and title: _____

Address: _____ City: _____

State: _____ Zip: _____ Telephone: _____

FOR OFFICE USE ONLY:

Date received: _____ By: _____

Investigation process and findings:

Action taken:

APPENDIX F

Barriers Immediately Removed

Identified Barrier	Location	Action Taken to Remove Barrier
No grievance policy	All	Grievance policy has been established.
No ADA Coordinator	N/A	ADA Coordinator has been designated.
Provision of the Statement of Non-discrimination in recruitment materials or publications containing general information that it makes available to participants, beneficiaries, applicants and/or employees	N/A	Statement will now be provided in the City's web-site and on information boards at individual facilities.
Notification of architectural accessibility to public meetings, hearings, or other events	All	Architectural accessibility will now be addressed in notices and announcements.
No provision in the current hiring policy for a disabled job applicant to request a modification of department policies, procedures or practices to accommodate his/her disability	N/A	The City's official hiring policy will now be to consider such modifications on an individual basis, if requested.

APPENDIX G

ADA Transition Plan Action Log



ADA TRANSITION PLAN ACTION LOG

#	Date	Location	ADA Issue / Action Needed	Status	Cost Estimate	Estimated Completion Date
1	08-24-2013	Ford Center Theater	Current construction to meet ADA compliance	On-going	N/A	08-24-13
2	08-24-2013	Community Development	Miscellaneous barriers in Council Chambers, restrooms, & break room/upgrades & renovations in planning stages	Start date pending	@\$2,500	08-24-14
3	08-24-2013	Community Development handicap entrance & Senior Center entrance	Entry door handle requires grasping, pinching or twisting of wrists/replace-ment with ADA actuators in planning stages	Start date pending	@\$12,000	08-24-14
4	08-24-2013	All Buildings	Architectural accessibility unknown/ signage needed	Incomplete	@\$1,000	08-24-15
5	08-24-2013	All Buildings	No documented emergency evacuation procedure with specific provisions for evacuating people with disabilities/establish procedures	Incomplete	@\$350	02-24-14

6	08-24-2013	City Hall entrance, Community Development entrance & restrooms, Police HQ Restroom, Public Works Restroom	Entry door handle requires grasping, pinching or twisting of wrists/replace with lever handle or "U" shaped pull-type door operating hardware	Incomplete	@\$150	02-24-14
7	08-24-13	Public Works, Community Development	Fire alarm does not give a visual, as well as audible signal/ install flashing light to activate with fire alarm	Incomplete	@\$600	08-24-14
8	08-24-13	Community Development	Notification not provided at entrances indicating location of handicap accessible entrance/ provide signage	Incomplete	@\$150	08-24-14
9	08-24-13	All	Staff would benefit from training or technical assistance in: developing policies and procedures, how to work with people with disabilities, training in legal requirements, providing accommodations, and resources for alternative formats and auxiliary aids/ begin annual training sessions	Incomplete	Undetermined	On-going