

Village of Forest Park, Illinois
Public Right-of-Ways
ADA Transition Plan
Approved by Forest Park Village Council on 6/27/2022

BACKGROUND

The Americans with Disabilities Act (ADA) of 1990 is Federal Civil Rights Legislation which mandates non-discrimination to persons with disabilities. The ADA, Title II prohibits discrimination by public entities based on disability. Therefore, it is important that the Village of Forest Park as a recipient of federal funding complies with all applicable federal and state laws, including those protecting persons with disabilities. The ADA requires that public accommodations remove barriers within facilities and right-of-ways where removal of these barriers can be carried out without undo expense or difficulty. This Transition Plan only addresses the public right-of-ways portion of the ADA requirements and not the public facilities portion (Village buildings and other facilities and Village owned parking lots).

Legal Requirements

Title II of the ADA applies specifically to state and local governments, referred to as “public entities,” and their programs and services. Title II Article 8, requires public entities with 50 or more employees to create a Transition Plan that takes the following steps to achieve compliance:

- A list of physical barriers in the entity’s facilities that limit accessibility of its programs, activities, or services to individuals with disabilities (Self-Evaluation).
- A detailed description of the methods to be used to remove these barriers and make the facilities accessible.
- A schedule for taking the necessary steps to achieve compliance with Title II.
- A schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act.
- The name of the official responsible for implementation; including the ADA coordinator, a possible Transition Plan team, and any regional coordinators.
- Provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments.
- A copy of the transition plan shall be made available for public inspection.
- The plan will be updated periodically until all accessibility barriers are removed.

Standards currently implemented by the Village of Forest Park, when undergoing new or road improvement projects, adhere to ADA laws and published under the IDOT Standard Drawings for Pedestrian Access Details for Curb Ramps, Median Curb Details, Pedestrian Islands, Driveways and Driveway Aprons, Stairway and Handrail requirements, and Accessible Parking, all aided by a detectable warning surface where applicable.

ADA PROGRAM

Self-Evaluation

To accomplish what is required by the ADA, the Village of Forest Park is working towards conducting a self-evaluation of:

- Its public right-of-ways to ensure accessibility.
- Identifying issues of accessibility that need to be addressed.
- Develop a schedule for the improvement of those facilities.
- Comply with ADA mandated standards for all new construction projects.

As required by ADA legislation, the Village of Forest Park is conducting a self-evaluation assessment (inventory) of all facilities within its jurisdiction and identifying any physical barriers to ensure their accessibility. The information developed through the right-of-way inventory process will be quantified and used as a baseline so that progress can be monitored and measured. The inventory information will eventually be housed within the Village's Geographic Information System (GIS). This plan will be reviewed annually and updated accordingly.

Prioritization

The Village of Forest Park has the responsibility of identifying barriers and implementing a corrective program. The Village has prioritized updating sidewalks, pedestrian crossings and ramps in conjunction with our annual road programs. That is, we update the pedestrian crossings and sidewalk ramps when the adjacent street is being resurfaced or replaced. Each year, the Village funds about 10,000 square feet of sidewalk removal and replacement at a cost of approximately \$75,000.

Program Responsibility

The Village of Forest Park's ADA Coordinator is designated as the person responsible to coordinate the Village's efforts to comply with and carry out the responsibilities under the ADA. The appointed ADA Coordinator is:

Village Administrator
Village of Forest Park
517 Des Plaines Avenue
Forest Park, Illinois 60130
708-615-6201
contact@forestpark.net

The Village of Forest Park will provide an opportunity to interested persons to participate in the development of the transition plan by submitting comments. The Village has adopted and published on its website an ADA Grievance Procedure for complaints which can be accessed at the following link: <http://www.forestpark.net>

TRANSITION PLAN

Inventory

Access to and utilization of the Village of Forest Park right-of-ways by individuals with disabilities is sometimes compromised by barriers such as those described below. The barrier descriptions are not necessarily all-inclusive, but they represent the type of barriers identified by the Village. In general, the Village's street system provides traveling routes. Sidewalks are the pedestrian travel way, and are sometimes obscured by protruding barriers. In some cases, a pedestrian's destination from a transportation facility is interrupted, and sometimes not accessible. The following are examples of barriers noted along pedestrian ways:

- The presence of fire hydrants and other obstructions (e.g., parkway trees) cause some sidewalks to be non-compliant (tree roots lifting sidewalk squares, trees/hydrants lessening sidewalk widths).
- Street Median Refuge and/or Pedestrian Crossing Refuge Islands were lacking in some locations, mostly on State roads, which are not under the Village's jurisdiction/ownership.
- Sidewalk network has gaps in some locations, mostly on State roads which are not under the Village's jurisdiction/ownership.
- Some sidewalks exceed the allowable cross slope.
- Some curb ramps have incorrect slopes or lack detectable striping.
- Some driveways intersecting sidewalks have incorrect slopes.

The Village of Forest Park will be developing a database which will assist in locating and inventorying pedestrian ways.

Targeted Barrier Removal Projects

Upon available funding, the Village of Forest Park will implement a barrier removal program within the right-of-way facilities. The program will be based on the inventory conducted by the Village and constitutes the Transition Plan of accessibility and upgrades. The top priority of the Village's Transition Plan is to make the existing right-of-ways accessible. When appropriate, the Village will replace existing sidewalks, curbs, ramps, and other right-of-way structures bringing them into current compliance standards. By following the IDOT standards, applicable ADA new structures and respective upgrades will be integrated into the projects. The Village's Public Works Department is responsible for the Village of Forest Park's Transition Plan within the Village right-of-ways. Most of the obstacles within the right-of-ways concern physical barriers that cannot be addressed through other options such as policy changes or alternative methods. When possible, the right-of-ways will be made accessible through a realistic and fundable strategy for curb and gutter modifications, wheelchair ramp construction and sidewalk modifications.

Public Involvement

As a public entity, the Village of Forest Park will make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of this plan and its applicability to the services, programs, or activities of the public entity, and make such information available to them through contact with the Village's ADA Coordinator and/or the Village Council to apprise such persons of the protections against discrimination assured them by the Act. A notice to the public of the ADA requirements can be obtained at the Village Hall as well as accessed on the Village's website at the following link: <http://www.forestpark.net>.

STRATEGY

The Village will continue to conduct on-site field investigations and update its inventory of sidewalks in public right-of-ways. As the Village's GIS system evolves, this information will be added and used to update this ADA Transition Plan. The following strategy will be incorporated within the Village's maintenance plan for public right-of-ways and facilities:

- Accessible Ramps. The Village will contract for reconstruction of ramps that do not meet the current ADA guidelines, through its annual road program. These include ramps at intersections and mid-block.
- Private Development. When a construction or alteration occurs within the public right-of-way, at or near an intersection, the Village will evaluate if ADA standards are being met and if modifications are needed during the design stage of a private project as well as during the construction phase of said project.
- Right-of-Way Projects. All right-of-way projects involving street and pedestrian ways will be evaluated and designed according to current ADA Standards. All new construction and improvements to existing facilities will adhere to these standards.
- 5 Year Capital Plans. ADA accessibility improvements that are either associated with stand-alone projects or those associated with roadway/right-of-way improvement projects shall be noted within adopted Village 5-Year Capital Plans.

FUNDING

The Village of Forest Park will strategically commit funding as available for Village road maintenance projects including ADA compliance. In addition, developer impacts on the right-of-way will be required to further enhance pedestrian facilities.

ROADWAY/RIGHT-OF-WAYS ENHANCEMENT PLANS

Various projects are proposed and depending upon funding availability will be constructed. Each project will be evaluated to incorporate upgrades in compliance with current ADA standards. The current project list can be acquired by contacting the Village of Forest Park at 708-366-2323.



Village of Forest Park Grievance Procedure 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 **Village of Forest Park**. The **Village of Forest Park** 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:

Village Administrator, ADA Coordinator
517 Des Plaines Avenue
Forest Park, IL 60130

Within 15 calendar days after receipt of the complaint, **the Village Administrator** 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 Village Administrator** 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 **ADA Coordinator** and offer options for substantive resolution of the complaint.

If the response by **the Village Administrator** or *his/her* designee does not satisfactorily resolve the issue, the complainant and or her designee may appeal the decision within 15 calendar days after receipt of the response to the **Village Council**, in a format accessible to the complainant, such as large print, Braille, or audio tape.

Within 15 calendar days after receipt of the appeal, the **Village Council** will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **Village Council** 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 Village Administrator** or *his/her* designee, appeals to the **Village Council**, and responses from these two offices will be retained by the **Village of Forest Park** for at least three years.

Designation of responsible employee and adoption of grievance procedures. 35.107

Consistent with 35.105, Self-evaluation, the final rule requires that public entities with 50 or more employees designate a responsible employee and adopt grievance procedures. Most of the commenter's who suggested that the requirement that self-evaluation be maintained on file for three years not be limited to those employing 50 or more persons made a similar suggestion concerning 35.107. Commenter's recommended either that all public entities be subject to section 35.107, or that "50 or more persons" be changed to "15 or more persons." As explained in the discussion of 35.105, the Department has not adopted this suggestion.

The requirement for designation of an employee responsible for coordination of efforts to carry out responsibilities under this part is derived from the HEW regulation implementing section 504 in federally assisted programs. The requirement for designation of a particular employee and dissemination of information about how to locate that employee helps to ensure that individuals dealing with large agencies are able to easily find a responsible person who is familiar with the requirements of the Act and this part and can communicate those requirements to other individuals in the agency who may be unaware of their responsibilities. This paragraph in no way limits a public entity's obligation to ensure that all of its employees comply with the requirements of this part, but it ensures that any failure by individual employees can be promptly corrected by the designated employee.

Section 35.107(b) requires public entities with 50 or more employees to establish grievance procedures for resolving complaints of violations of this part. Similar requirements are found in the section 504 regulations for federally assisted programs (*see, e.g.*, 45 CFR 84.7(b)). The rule, like the regulations for federally assisted programs, provides for investigation and resolution of complaints by a Federal enforcement agency. It is the view of the Department that public entities subject to this part should be required to establish a mechanism for resolution of complaints at the local level without requiring the complainant to resort to the Federal complaint procedures established under subpart F. Complainants would not, however, be required to exhaust the public entity's grievance procedures before filing a complaint under subpart F. Delay in filing the complaint at the Federal level caused by pursuit of the remedies available under the grievance procedure would generally be considered good cause for extending the time allowed for filing under 35.170(b).



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 **Village of Forest Park** will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The **Village of Forest Park** 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 **Village of Forest Park** 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 **Village of Forest Park** 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.

Modifications to Policies and Procedures: The **Village of Forest Park** 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 the **Village of Forest Park** offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the **Village of Forest Park**, should contact the office of the **Village Administrator, ADA Coordinator, at 517 Des Plaines Avenue, Forest Park, IL 60130** as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the **Village of Forest Park** 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 **Village of Forest Park** is not accessible to persons with disabilities should be directed to **Village Administrator, ADA Coordinator, at 517 Des Plaines Avenue, Forest Park, IL 60130**.

The **Village of Forest Park** 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.