
Introduction

The Institute for Human Centered Design (IHCD) has prepared this report on behalf of the City of Montpelier as part of the City's on-going effort to assess the current level of ADA compliance in programs, services and activities and City-owned facilities. In preparing for the report, IHCD surveyed a selection of the City's portfolio of facilities and properties that was included in the Request for Proposals. This report includes the review of ten (10) public buildings, one (1) park and one (1) festival which included portions of the July 3 Festival, Family Olympics and Parade. The Elm Street Recreation Area was also surveyed when Montpelier Pool was examined.

This ADA Self-Evaluation report includes a summary of the City's policies as well as a summary of architectural barriers and proposed solutions for the City's municipal buildings and parks/outdoor areas. All are designed to help move the City towards full compliance with its obligations under the Title II of the Americans with Disabilities Act (ADA).

Many City -owned facilities recently altered or renovated are substantially accessible and meet most architectural requirements. Continued facility alterations, and/or renovations will substantially reduce barriers and realize Montpelier's commitment to inclusion and equal rights. In the meantime, the greatest problems posed by existing barriers can be ameliorated by establishing policies and procedures to accommodate members of the community with disabilities. It is worth noting that the City has taken several significant steps in this direction:

- Montpelier has hired a consultant (IHCD) to undertake its ADA self-evaluation (as basis for the City's Transition Plan).
- Montpelier has an ADA Coordinator in place, Tom McArdle, who is the Director of Public Works.

Many key facilities and outdoor areas are "functionally accessible" meaning that they are generally usable by people with disabilities but are not in full compliance with current accessibility requirements, though they may have been compliant when they were built or last renovated – before 1991. The City Hall building is an example of such a "functionally accessible" facility: most programs can be accessed by most people because the building features an accessible entrance, an elevator and has accessible routes through the building; yet several doors are narrower than the minimum width required and multiple toilet rooms have accessibility issues. The Pool House at the Elm Street Recreation Center is another example of a "functionally accessible" facility: most programs can be accessible yet the facility lacks fully accessible toilet compartments for both men and women and the locker rooms are not fully accessible.

For clarity, this ADA Self-Evaluation report is organized as follows:

- Legal Overview
- Executive Summary of the Evaluation of Policies in Programs, Services, and Activities
- Executive Summary of the Evaluation of Facilities.
- lockers in the pool house lack hardware that can be used without requiring tight grasping, pinching or twisting of the wrist

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I. Legal Overview

The City of Montpelier is obligated by both Federal laws and State codes concerning the rights of people with disabilities in the daily provision of programs, services, and activities. At the end of this report, there is a comprehensive list of relevant laws.

Federal Obligation: American with Disabilities Act (ADA)

Based on the 1964 Civil Rights Act and expanding upon the obligations of the 1973 Rehabilitation Act, the 1990 ADA prohibits discrimination against people with disabilities. The ADA provides civil rights protections to individuals with disabilities similar to those afforded to individuals on the basis of race, color, sex, national origin, age, and religion. The cornerstone of Title II of the ADA, which applies to state and local governments, is clear: no qualified person with a disability may be excluded from participating in, or denied the benefits of, the programs, services, and activities provided by state and local governments because of a disability.

The 2008 Amendments to the ADA (ADAAA), signed into law on September 25, 2008, describes in more detail the range of conditions covered by the civil rights protections of the ADA. The amendments expand the definition of “disability” to include impairments that substantially limit a major life activity and states that when determining whether someone qualifies as having a disability, one cannot take into account assistive devices, auxiliary aids, accommodations, medical therapies and supplies. The amendments also address episodic disabilities that may go into remission but still can significantly limit a major life activity when active, such as epilepsy and post-traumatic stress disorder. The ADA defines a disability as¹:

- A physical or mental impairment that substantially limits one or more major life activities (i.e. working, talking, hearing, seeing, caring for one's self);
- Having a record of a physical or mental impairment that substantially limits one or more major life activities;
- Being regarded by others as having an impairment such as individuals with severe facial scarring.

¹ To learn more about qualified individuals with disabilities or to read the full text of the ADA, please visit <http://www.ada.gov>

State Code: Vermont Access Rules

Vermont state accessibility code includes the following:

*Vermont Access Board and the Vermont Department of Public Safety Division of Fire Safety
Vermont Access Rules and Adaptable & Veritable Standards for Dwellings*

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It is important to stress that the primary obligation to public entities such as the City of Montpelier, under Title II of the Americans with Disabilities Act, is to ensure that, when viewed in their entirety, the programs, services, and activities offered are equally available to people with disabilities. The City is required to follow the 2010 ADA Standards for Accessible Design in new construction and major alterations. The 2010 ADA Standards must also be used for corrective actions if existing conditions don't comply with the original ADA Accessibility Guidelines. Municipalities also must relocate programs or otherwise provide access to programs located in inaccessible older facilities (i.e. facilities built before the ADA went into effect January 26, 1992). Ensuring program access may require capital investment when there is no alternative solution and should be a priority for corrective action.

Note that the websites of Title II entities are also considered “programs” and should be accessible to the standards of the Web Content Accessibility Guidelines 2.0 AA. Review of the City of Montpelier’s website was provided as part of the scope of work of this contract.

The City must **communicate effectively** with people who have hearing, vision, or speech disabilities. Montpelier is also required to make reasonable modifications to policies, practices, and procedures where necessary to ensure the equal participation of people with disabilities. Whatever is written or spoken must be as clear and understandable to people with hearing, vision, or speech disabilities as it is for people who do not have disabilities. In addition, the ADA requires the provision of “auxiliary aids and services” to meet their responsibility for effective communication.

Following the passage of the ADA, the Department of Justice issued the 1991 ADA Standards for Accessible Design to address physical access to facilities and transportation. These standards were based almost exclusively on the US Access Board’s guidelines (ADA Accessibility Guidelines – ADAAG). In 1994, slight technical amendments were made. Then in 2004, after years of public comment, the US Access Board issued new guidelines that were promptly adopted by US Department of Transportation and other federal agencies. But only in 2010 did the Department of Justice issue a revised and updated ADA Standard called the 2010 ADA Standards for Accessible Design (2010 ADA Standards) that would apply to all Title II and Title III entities. These standards revised requirements for policies such as ticketing and service animals, and for physical elements such as assembly seating, established construction tolerances for certain elements and formalized long-standing guidelines for play areas, golf courses, recreational boating facilities, swimming pools, and other recreational facilities.

Facilities that meet or exceed 1991 ADA Standards are not required to make changes to the new standards except in the case of significant renovation. For elements that are non-compliant, the

corrective measures must align with the 2010 ADA Standards. It is not expected that the buildings will meet or be brought up to all of the 2010 ADA Standards absent significant or total renovation. State and local governments must ensure that individuals with disabilities are not excluded from services, programs, and activities because buildings are inaccessible. This means Title II entities need not remove physical barriers, such as stairs, in all existing buildings, as long as they make their programs accessible to individuals who are unable to use an inaccessible existing facility.

Alterations to historic properties under the ADA

Alterations to historic properties must comply with the specific provisions governing historic properties in the 2010 ADA Standards, to the maximum extent feasible. Under those provisions, alterations should be done in full compliance with the alterations standards for other types of buildings. However, if following the usual standards would threaten or destroy the historic significance of a feature of the building, alternative solutions may be used. The decision to use alternative solutions for that feature must be made in consultation with the appropriate historic advisory board as designated in the 2010 ADA Standards, and interested persons should be invited to participate in the decision-making process.

Note that any corrective actions needed to ensure program accessibility would also have to comply with the requirements of the 2010 ADA Standards for historic facilities.

II. Executive Summary of the Evaluation of Policies in Programs, Services and Activities

Title II of the Americans with Disabilities Act (ADA) prohibits discrimination against qualified individuals with disabilities by public entities. Activities covered include all services, programs and activities offered by the public entity, all aspects of employment, services carried out by contractors, all activities of the local legislative and judicial branches and public transportation.

A thorough understanding of the requirements of Title II of the ADA is an essential responsibility of public entities. Please note that a complete summary of the City's policies, practices and procedures is included in *Part B – Evaluation of Non – Discriminatory Policies and Practices in Programs, Services and Activities*.

The ADA administrative requirements help ensure that the needs of people with disabilities are addressed in all services, programs and activities that the City operates. A Title II entity is required to:

1. Designate a Responsible Employee (ADA Title II - 28 CFR Part 35.107 (a)) to coordinate compliance with the ADA. The purpose of having a responsible employee – ADA Coordinator - is to ensure that when the public deals with a state or local government agency the public is able to identify a person who is knowledgeable with the requirements of the ADA.

The City of Montpelier has met its obligation to designate a responsible employee by appointing Tom McArdle, who is the Director of the Department of Public Works, as the City's ADA Coordinator.

2. Adopt and distribute a public Notice (ADA Title II - 28 CFR Part 35.106) of the provisions of the ADA to members of the public who may participate in the City's programs, services and activities. The effective notice should state the City's obligations under the ADA and include the complete contact information of the ADA Coordinator.

The City of Montpelier has a *Notice of Provision of Services Under the Americans with Disabilities Act (ADA)* posted on its website but it is not easy to find.

From the responses submitted by staff it seems that the City of Montpelier does not have a uniform policy regarding the posting of ADA Non-Discrimination Notices for members of the public. Multiple City departments reported that notices were not posted.

The City should consider clarifying with staff their Notice of Non-Discrimination policy to comply with ADA Title II that states that public entities shall take initial steps to notify program/service participants, beneficiaries and employees of its obligations by publishing the Notice in all the materials distributed by the City; post the Notice on the City's website home page and post copies in public locations in the City's buildings.

3. Develop and distribute Grievance Procedures (ADA Title II - 28 CFR Part 35.107 (b)) for prompt resolution of any complaint regarding disability discrimination.

The City's website provides a grievance procedure document, but it is difficult to find.

From the responses submitted by staff, some departments mentioned that 'we don't have any' formal or informal grievance procedures for their department, or stated the question is 'not applicable'. It is not clear if staff is aware of their ADA obligation and the process for meeting the requirement for grievance procedures.

IHCD recommends the City take steps to clarify its grievance process for both employees and members of the public, post that information in print, in visible location on the City's website and in all material distributed by the City.

4. Modify its Policies, Practices and Procedures (ADA Title II – 28 CFR Part 35.130(b)(7)) when necessary to avoid discrimination.

None of the survey respondents indicated that they were aware of a situation where their department was unable to provide an accommodation or modification that was requested by an individual with a disability.

IHCD recommends the City takes steps to ensure the City's employees can provide information to members of the public about the process of requesting reasonable modification of policies when appropriate. And ensure the form for requesting reasonable modifications of policies is in an easy to find section of the City's website and state the commitment to provide copies in accessible formats upon request.

5. Provide Reasonable Accommodation (ADA Title II – 28 CFR Part 35.140(a)) to qualified employees with disabilities. This requirement may include modifying work schedules, job restructuring, and making facilities used by employees readily accessible to an employee with a disability.

There is no evidence that the City has failed to provide reasonable accommodation to its employees.

6. Provide Auxiliary aids and services (ADA Title II – 28 CFR Part 35.160) to ensure effective communication with people with disabilities. This provision requires ADA Title II entities to take steps to ensure that communication with members of the public and employees with disabilities is as effective as communication with others. This requirement may include but is not limited to providing sign language interpreters, providing Computer-Assisted-Real-time-Translation (CART), written materials for persons who are deaf or have difficulty hearing, braille or large print information or information in digital format for people who are blind or have difficulty seeing.

There is no evidence that the City has failed to provide effective communication when required. But from the department responses, it seems that clarifying procedures of providing effective communication could be beneficial.

IHCD recommends that the City consider developing and publicizing clear processes for members of the public and employees to request auxiliary aids and services.

The City should ensure that information and resources available at the front desk can be made available in alternate accessible formats.

Finally, ensure that the City's website and other web-based services are accessible to people with disabilities. It is the Department of Justice's position that when services are provided on a website, those services too must be made accessible. The website should be considered a "program" of the City.

III. Executive Summary of the Evaluation of Facilities

The analysis of existing conditions that encompasses the body of this evaluation is based on observations and documentation completed by IHCD team during site visits in the summer of 2018. This accessibility survey included the following facilities:

Public Buildings:

City Hall
Fire Station
Police Station
Green Mountain Cemetery
DPW Offices, Garage and Salt Pen (2 buildings)
Montpelier Pool and Elm Street Recreation Area
Recreational Center
Senior Activity Center
Wastewater Treatment Plant

IHCD's review of the City - owned facilities was based on compliance with the 2010 ADA Standards if not compliant with the 1991 ADA Standards. IHCD also surveyed the following parks/outdoor areas:

Parks/Outdoor Areas:

Hubbard Park
July 3 Festival, Family Olympics and Parade

It is important to note that those elements in existing facilities that are subject to supplemental requirements of the 2010 ADA Standards (*i.e.*, elements for which there are neither technical nor scoping specifications in the 1991 Standards) such as (C) *Recreational boating facilities*; (D) *Exercise machines and equipment*; (E) *Fishing piers and platforms*; (H) *Play areas*; (J) *Swimming pools, wading pools, and spas*; and (L) *Miscellaneous - (1) Team or player seating and Accessible route in court sports facilities*, need to be brought into compliance.²

² As described in 28 CFR 35.150(b)(2)(i) Title II ADA Regulations

Building Facilities Overview

The building facility set includes ten (10) public buildings. The accessibility survey of those facilities includes all the spaces where the City offers programs, services and activities to the public.

It is important to remember that under Title II of the ADA the City of Montpelier must make sure that *“No qualified individual with a disability shall, because a public entity's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity”* [28 CFR Part 35.149].

A public entity may not deny the benefits of its programs, activities, and services to individuals with disabilities because its facilities are inaccessible. This means that each program, service and activity of the City, *“when viewed in its entirety, must be readily accessible to and usable by individuals with disabilities.”* This requirement is known as program accessibility [28 CFR Part 35.150].

The program accessibility requirement does not necessarily require a public entity to make each existing facility accessible or to take any action that would threaten or destroy the historic significance of a historic property or require a public entity to take any action that it can demonstrate would result in a fundamental alteration in the nature of the program or in an undue financial and administrative burden.

The City may comply with the requirements through such means as redesign or acquisition of equipment, reassignment of services to accessible buildings, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities, or any other methods that result in making the City's services, programs or activities readily accessible to and usable by individuals with disabilities. A public entity is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section.

In choosing among available methods for meeting the requirements of this section, a public entity shall give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate.

In order to comply with the program accessibility obligations the City of Montpelier should consider:

1. Relocation of its programs, services and activities within current facility
Often the simplest solution is for the City to use what it already has in place. IHCD strongly recommends the relocation of programs, services and activities to accessible locations within the facility.
2. Relocation of its programs, services and activities to another facility
When not possible to relocate them within the current facility, program, services, and activities should be relocated to an accessible facility.
3. Renovation/alteration of its facilities to ensure access to programs, services and activities
The City may consider the renovation of its facilities to ensure that the programs, services and activities are offered in the most integrated setting possible.

To determine which buildings must be made accessible, the City should consider:

- How to provide the program in the most integrated setting appropriate;
- The locations where the activities are offered;
- Which facilities are accessible and to what extent.

Key Recommendations for the Building Facilities:

- Ensure there is an accessible route from arrival points to those areas in the building where the programs, services and activities are provided.
- Ensure that fully accessible toilet rooms are provided in the building. Where it is technically infeasible to provide multi-user toilet rooms provide a single-user toilet room in the same area as the existing multi-user toilet rooms.
- Ensure that where the programs, services or activities are offered there is a sufficient number of accessible features (accessible counters, accessible work surfaces, etc.)
- If audible communication is integral to the use of the space, provide a compliant Assistive Listening System (ALS).

IHCD assessed compliance for all building facilities and outdoor areas on the basis of the ADA and/or state code. To assist in prioritizing accessibility improvements to ensure compliance with the ADA Title II, each of the building and outdoor area reports include an overview that identifies the most substantial accessibility issues and order of magnitude cost estimate. Additionally, a detailed catalog that supplements the ADA Self-Evaluation report is also included. The catalog provides element-by-element illustrated photos of compliance issues, location and measurements – when applicable - at each assessed facility accompanied by recommendations and cost estimation for each accessibility issue.

In addition, a spreadsheet of order of magnitude cost was provided to the City. When the City presents findings and recommendations to the community and receives feedback, some recommendations may need adjustment. All capital corrective actions will need to be prioritized into a planning and budgeting document likely organized over a seven to ten year period that is called the ADA Transition Plan. Together, the ADA Self-Evaluation and ADA Transition Plan will enable the City to make substantial progress in meeting its ADA responsibilities. The recommendations for corrective action on policies and procedures of the ADA Self-Evaluation are not included in the ADA Transition Plan since that is limited to capital issues. But they are a blueprint for meeting compliance responsibilities other than capital.

Public Buildings

City Hall

Accessibility issues on the exterior of City Hall include sidewalks with excessive cross slopes and gaps in the cement in excess of ½ inch that are a tripping hazard. In addition, handrails at the ramp to the accessible entrance do not extend 12” at the top and bottom of the ramp, and are not continuous where required. In the parking lot, accessibility issues include identification signs at accessible spaces that are lower than the minimum height allowed, and lack of a marked access aisle at the car accessible space closest to Main Street.

Inside City Hall accessibility issues include lack of an accessible route to the Council members’ seating area in the City Council Chambers, and doors at multiple locations with less than 32” clear width and hardware that requires tight gripping or twisting of the wrist. There are also accessible compartments with issues such as flush controls not mounted on the open or transfer side, and insufficient pull-side maneuvering clearance at the exit door from the men’s multi-user toilet room on the first floor. In addition, there are stairways that are missing handrails or that have other handrail compliance issues and service counters that higher than the maximum height allowed.

IHCD recommends the following improvements at City Hall:

- Provide sidewalks with compliant slopes and gaps that do not cause a tripping hazard.
- Provide handrails at the ramp to the accessible entrance that are continuous and extend 12” at the top and bottom of the ramp.
- Provide compliant accessible parking spaces.

- Provide doors with at least 32” clear width and hardware that does not require tight grasping, pinching or twisting of the wrist.
- Provide fully compliant accessible toilet rooms.
- Provide accessible service counters.
- Provide audible call signals in the elevator.
- Provide a drinking fountain for standing users on the first floor.

Fire Station

Accessibility issues at the Montpelier Fire Station include surface openings in excess of ½” on the exterior ramp leading to the accessible entrance, lack of compliant egress signs and lack of directional signs at the inaccessible toilet rooms.

IHCD recommends the following improvements at Montpelier Fire Station:

- Repair exterior ramp surface.
- Provide signs with raised characters and braille at egress doors and at the multi-user toilet rooms to the accessible toilet room on the first floor.
- Provide continuous handrails on both sides of interior stairs.
- Provide insulated pipes at the lavatory in each toilet room.

Police Station

Accessibility issues at the Police Station include lack of a van accessible parking space, lack of an accessible service counter in the lobby, lack of fully accessible toilet rooms, and lack of side and rear grab bars at the toilet in the accessible cell.*

IHCD recommends the following improvements at the Police Station:

- Provide a compliant van accessible parking space.
- Provide an accessible counter in the lobby.
- Provide an audible and visible alarm and locate flush control on the open or transfer side in the public toilet room on the first floor.
- Provide grab bars at the toilet in the accessible cell.*

***Note:** In detention or correction facilities, grab bars shall not be required to be installed in housing or holding cells that are specially designed without protrusions for purposes of suicide prevention.

Green Mountain Cemetery

Accessibility issues at Green Mountain Cemetery include lack of an accessible portable toilet, lack of an accessible picnic table, lack of water spout hardware on the cemetery grounds that does not require tight grasping, pinching, or twisting of the wrist, lack of an accessible route in to the chapel due to a 4” threshold at the entry and lack of an accessible route to the chapel speaking area due to a 6” change in level.

IHCD recommends the following improvements at the Green Mountain Cemetery:

- Provide a ramp to the speaking area inside the Chapel.
- Provide an accessible route at the Chapel entry door.
- Correct issues with grate in the Chapel’s central aisle.
- Provide accessible water spout hardware on the cemetery grounds.
- Provide an accessible portable toilet.
- Provide an accessible picnic table.

IHCD recommends the following Universal Design and Best Practice improvements at the Green Mountain Cemetery:

- While parking is not provided near the Chapel entry, IHCD recommends providing a van accessible parking space on the shortest accessible route to the chapel entry.
- IHCD recommends providing a 30” minimum by 48” minimum clear floor space next to one of the church pews.

Note: The entombment building door across from the Chapel entry was locked on the day of the survey. If the public enters through that door, provide a 1:20 (5.00%) maximum slope accessible route there as well.

DPW Offices, Garage and Salt Pen

Accessibility issues include lack of a van accessible parking space at the parking lots for both the DPW Offices and Garage and at the Salt Pen structure. In addition, the DPW offices lack an accessible single-user toilet room and lavatory, there are open risers on the staircase to the second floor, and there is the lack of a drinking fountain for seated users.

IHCD recommends the following improvements at the DPW Offices, Garage and Salt Pen:

- Provide van accessible parking at both the DPW Offices and Garage and at the Salt Pen.
- Provide an accessible single-user toilet room and lavatory at the DPW Offices and Garage.
- Provide a drinking fountain for seated users at the DPW Offices and Garage.

- Provide closed risers at the staircase to the second floor in the DPW Offices and Garage.
- Provide a drinking fountain for seated users at the DPW Offices and Garage.

Montpelier Pool and Elm Street Recreation Area

Accessibility issues at the Montpelier Pool and Elm Street Recreation Area include lack of accessible spaces, lack of signage with the International Symbol of Accessibility (ISA), and lack of compliant access aisles. There is also an excessive cross slope at the pathway on the east side of the pool house, excessive running slopes on the pathway from the pool house to the pool, and there is an excessive change in level and excessive running slope on the pathway from the pool parking area to the playground. There are compliance issues in the men's and women's toilet rooms at the pool house and at the Montpelier Recreation Baseball Field. In addition, Montpelier Recreation Field lacks the required number of accessible seats with companion seating in the bleachers, and five service counters at concession stands are higher than the maximum allowed. There is also a lack of accessible spaces near the team seating at the Softball Field and by the Little League Field bleachers, and lack of an accessible route to the edge of the basketball court, the Little League Baseball Field and the batting cage.

IHCD recommends the following improvements at the Montpelier Pool and Elm Street Recreation Area:

- Provide the required signs and access aisle at the swimming pool parking area and accessible parking spaces at the Montpelier Recreation Field parking area.
- Provide accessible toilet fully accessible toilet rooms at both the Pool House and Montpelier Recreation Field.
- Provide accessible bleacher seating and accessible service counters at Montpelier Recreation Field.
- Provide accessible bleacher and team seating and reduce excessive cross slopes, running slopes and changes in level at walkways and routes to areas of sport activity including the softball field, little league baseball field and batting cage and the basketball court.

Recreational Center

Accessibility issues at the Recreational Center are significant and include lack of an accessible entrance and means of egress, lack of an interior accessible route between floors and lack of an accessible route to the stage in the gymnasium. There are also accessibility issues with the multi-user toilet room in the basement and with the single-user toilet room and shower on the second floor. In addition, there is a lack of maneuvering clearance at multiple doors and missing or otherwise noncompliant staircase railings.

IHCD recommends the following improvements at the Recreational Center:

- Provide a van accessible parking space on Stone Cutters Way
- Provide an accessible entrance and means of egress and an accessible route between the building's three levels [install an exterior elevator with at grade entrance].
- Provide an accessible route to the stage in the gymnasium.
- Provide automatic door openers at recessed doorways and correct issues with doorways.
- Provide handrails where missing and correct issues with interior handrails.
- Provide an accessible drinking fountain for a seated user.
- Provide a fully accessible single-user toilet room and shower.

IHCD recommends the following Universal Design and Best Practice improvements at the Recreational Center:

- Recommend providing a gun range shooting bay with a counter and opening that could be used by a seated target shooter.
- Recommend reducing the force required to set the gymnasium egress door in motion to 30 lbs. max., and 15 lbs. max. to swing to a full open position.

Senior Activity Center

Accessibility issues at the Senior Activity Center include lack of tactile signs at multiple egress doors, lack of the required maneuvering clearance at the entry doors to the men's and women's multi-user toilet rooms on the first floor (required turning space is obstructed by lockers), excessive opening force at the door to the men's multi-user toilet room, a malfunctioning self closing hinge at the toilet compartment in the men's multi-user toilet room, and exposed plumbing at the lavatory in the single-user toilet room on the second floor. In addition, the interior ramp at the Barre Street entrance has handrails that are both higher and lower than the heights allowed.

IHCD recommends the following improvements at the Senior Activity Center:

- Provide tactile signs at egress doors.
- Provide the required maneuvering clearance at the entry doors to the men's and women's multi-user toilet rooms, and correct other issues with toilet rooms.
- Provide compliant handrails at the interior ramp.

Wastewater Treatment Plant

Accessibility issues at the Wastewater Treatment Plant include lack of a van accessible parking space, access aisle and sign, lack of an accessible entry at the control room building (staircase)

and at the mechanical building (lack of landing at door), and lack of an accessible single-user toilet room in the in the control room building.

IHCD recommends the following improvements at the Wastewater Treatment Plant:

- Provide a van accessible parking space.
- Provide a lift at the entry to the control room building and an accessible route into the mechanical building.
- Provide an accessible single-user toilet room in the control room building.

Outdoor Facilities Overview

The outdoor facility set includes the July 3 Festival, Family Olympics and Parade, at Hubbard Park. The accessibility survey of those spaces encompassed elements such as parking at Hubbard Park, walking surfaces and slopes, benches, toilet facilities, picnic pavilions, drinking fountains, picnic tables, barbeque grills, food trucks, play areas, recreational areas, and maintenance of accessible features.

The program accessibility obligation does not typically require that every outdoor area be made accessible. As noted before, “when viewed in its entirety” applies to programs for which there are multiple locations for comparable programs. Usually, a public entity determines which method it will use for meeting its program accessibility obligations. When structural changes are made to existing facilities, the changes must comply with the 2010 ADA Standards for Accessible Design. When choosing to purchase equipment or to make structural changes, the public entity should factor financial resources required to maintain program accessibility.

Over time, the City will need to reassess its compliance with program accessibility, and it may become necessary to acquire new accessible equipment or make structural modifications.

When looking at the outdoor facilities, Montpelier needs to ensure that a sufficient number are accessible. For instance, Montpelier offers a variety of experiences at its parks/outdoor areas e.g., walking trails, picnic areas, playing fields, etc. The City needs to make sure that a sufficient number of each type of these facilities is accessible. The City also needs to keep in mind that each unique program needs to be accessible.

To determine which outdoor areas must be made accessible, the City should consider:

- How to provide the program in the most integrated setting appropriate;
- Locations where the activities are offered;

- Which outdoor areas are accessible and to what extent;
- Level of dispersion of the accessible outdoor areas (playgrounds, baseball fields, etc.,) and convenience to reach them (accessible by car or pedestrian routes).

Key Recommendations for the Outdoor Facilities:

- Ensure there is an accessible route to all elements in the park/outdoor space (picnic area, playground, toilet facilities, etc.).
- Ensure that a certain number of amenities in the parks/outdoor spaces are accessible (e.g. picnic tables, barbeque facilities, etc.).

Parks / Outdoor Areas

Hubbard Park

Accessibility issues at Hubbard Park include lack of designated accessible parking at multiple locations and lack of accessible routes or issues with the maintenance of accessible routes to each type of amenity in the park. In many cases the amenities themselves are also not accessible including the Observation Tower, outhouses at multiple locations, picnic tables at Seven Fireplaces and near the Old Shelter Pavilion and New Shelter Pavilion, drinking fountains at the Old Shelter Pavilion and New Shelter Pavilion, fitness Trail Workout Stations at multiple locations, and the soccer and playing field near the Old Pavilion.

IHCD recommends the following improvements at Hubbard Park:

- Provide accessible parking spaces at 8 (eight) locations. (See the previously provided and attached sketch as one design solution for designating accessible spaces in unpaved parking lots.)
- Provide accessible outhouses at 5 (five) locations. (See the previously provided Clivus outhouse flyer as one outhouse design solution.)
- Provide accessible routes to park amenities including the Observation Tower, picnic tables and pavilions, at least one of each type of barbeque and fireplace, drinking fountains, Fitness Trail stations, etc. by correcting issues with excessive running and cross slopes, and surfaces that are not firm, stable and slip resistant.
- Provide a virtual experience to achieve program access at the Observation Tower.
- Provide accessible drinking fountains for seated and standing users at Old Shelter Pavilion and New Shelter Pavilion

IHCD recommends the following Universal Design and Best Practice improvements at Hubbard Park:

- Recommends, in order to provide the required program access at the Observation Tower mentioned above, options such as a video or photo display with descriptions located on an accessible route at the Observations Tower site, with images of the interior of the tower and views from the tower observatory level. IHCD also recommends placing videos, images and descriptions on the park website in an accessible format.
- Recommend providing railings and railing extensions on both sides of the staircases at the Old Shelter Pavilion and the Observation Tower.
- Recommend providing wood railings and railing extensions on both sides of the staircases at the Tower Observatory and Old Shelter Pavilion, at the wooden crossings near the New Shelter Pavilion trailhead and on the trail near Fitness Station 15.
- Recommend closing the open risers on the staircase in the Tower Observatory.

Note: The slope of the terrain at multiple fitness trail stations, the route to the soccer and playing fields by Old Shelter Pavilion, and at some other locations in Hubbard Park may make the regrading of these paths technically infeasible.

Montpelier July 3 Parade, Festival and Family Olympics

IHCD observed the July 3 Parade in downtown Montpelier, and the accompanying Festival and Family Olympics in front of the State House at State Street. While the IHCD team was not able to witness all activities at all times, no key accessibility issues were observed.

IHCD recommends the following Universal Design and Best Practice improvements at the Montpelier July 3 Parade, Festival and Family Olympics:

- Recommend moving some of the Family Olympics activities close to the State Street sidewalk and walkway between State Street and the State House so they are on a shorter accessible route.
- Recommend providing a drop-off area as close as possible to the Family Olympics and July 3 parade route so that people with mobility disabilities can more easily approach the various activities and attractions.

Reference List:

Federal Laws:

American with Disabilities Act (ADA)
2010 ADA Standards for Accessible Design

Guidance:

ADA Action Guide for State and Local Governments: www.adaactionguide.org
ADA Checklist for Existing Facilities