

JUNE 2023

# ADA TRANSITION PLAN

PREPARED FOR THE VILLAGE OF SPENCERVILLE



DRAFT



Lima/Allen County  
REGIONAL PLANNING  
COMMISSION

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## **INTRODUCTION**

The purpose of this Plan is to ensure that the Village of Spencerville creates and maintains reasonable, accessible paths of travel in the public rights-of-way for everyone, including people with disabilities in a living document to be updated as necessary. The Village of Spencerville has made a significant and long-term commitment to improve the accessibility of their pedestrian facilities located within public rights-of-ways. However, gaps and barriers still exist. The Transition Plan identifies such physical barriers and prioritizes improvements that should be made throughout the Village of Spencerville. This Transition Plan describes existing policies and programs to enhance overall pedestrian accessibility.

The Plan recognizes that ADA requirements extend beyond the public road rights-of-way. As a metropolitan planning organization, the LACRPC's purview ends at the rights-of-way boundary. Facilities owned by the Village including, but not limited to hard infrastructure are also regulated by ADA guidelines. The Village shall evaluate the remaining facilities as well. Although a formal transition plan process is not required by agencies with less than 50 full-time employees, the Village views public participation and guidance of the Lima/Allen County Regional Planning Commission as a proven path to swift compliance.

There may be limitations that make it technically infeasible for an intersection corner to achieve full compliance within the scope of a project. If so, those limitations will be noted and those intersection corners will remain in the Transition Plan. As future projects or opportunities arise, those roadway intersection corners shall be incorporated into future work. Regardless of whether full compliance can be achieved in all cases, each intersection corner shall be made as compliant as possible in accordance with the purpose of the ADA Transition Plan.

## **LEGAL REQUIREMENTS**

The federal legislation known as the Americans with Disabilities Act (ADA), enacted on July 26, 1990, provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation, and telecommunications.

Title II specifically applies to "public entities" (state and local governments) and the programs, services, and activities they deliver. Title II, Article 8, requires public entities to take several steps designed to achieve

compliance. Federal mandates require the Transition Plan shall, at a minimum include:

1. A list of the physical barriers in a public entity's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities.
2. A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible.
3. The schedule for taking the necessary steps to achieve compliance with Title II.
4. The name of the official responsible for the Plan's implementation.

Transition Plans provide a method for public entities to schedule and implement ADA-required improvements to existing streets and sidewalks. Before a Transition Plan can be developed, however, an inventory of the current public road rights-of-way including curb ramps and sidewalks must first be developed.

### **OBSTACLES TO THE PUBLIC RIGHTS-OF-WAY**

**People have differing abilities:** A variety of users need to access the sidewalk system. Their abilities vary in agility, balance, cognition, coordination, endurance, flexibility, hearing, problem-solving, strength, vision, and pace. Pedestrians have varying needs, therefore, changing a design to enhance access for one group can create additional barriers for other individuals. The goal should be to make all sidewalks accessible to the largest possible number of residents.

To improve the pedestrian paths within the public road rights-of-way, the Village of Spencerville worked with the Ohio Department of Transportation (ODOT) and Regional Planning Commission. The Village of Spencerville, ODOT and the Regional Planning Commission have worked to identify available programmatic federal and state funding to help underwrite the construction of sidewalks. The Planning Commission also worked with the Village to identify barriers within the public rights-of-way including curbs, sidewalks, pedestrian crossings, and parking lots. Village officials were ultimately able to address a prioritized list of improvements based on an inventory of existing land use activities, and publicly owned buildings. Field surveys/inspections and the use of GIS mapping were employed prior to the public planning to expedite informed decision-making. *Of critical importance were the public rights-of-way serving government offices, downtown core areas, parks, public and quasi-public buildings and residential areas.* Such data constitutes the foundation of the Transition Plan.

As a result of the inventory and the public planning process, the Village of Spencerville has identified and assessed obstacles in the public rights-of-way. The Village adopted a proactive approach to removing barriers in the public, predicated upon public comments/complaints, and ensuring that all future construction/repair within the road rights-of-way, regardless of funding source, will in a build-out scenario, ensure compliance with ADA design standards within Village rights-of-way.

## **General Policies:**

### **Roadway Intersections**

The Village of Spencerville will work in good faith to have curb ramps or blended intersections constructed or upgraded to achieve ADA compliance within all capital improvement projects at roadway intersections.

### **Deficient Sidewalks**

The Village of Spencerville will work in good faith to have sidewalks improved to achieve ADA compliance within all capital improvement projects. The absence of sidewalk is not a discriminatory practice. However, if sidewalks exist, they must be compliant with ADA regulations.

## **BARRIER REMOVAL PRIORITIES**

The Village of Spencerville based barrier removal priorities on three (3) factors: use, location, and relative accessibility within the public road rights-of-way. The Village identified Plan priorities as follows:

1. Rights-of-way serving government and public facilities
2. Rights-of-way serving commercial services and employment centers
3. Rights-of-way serving other land uses

### **Accessibility Condition**

The Village worked to identify the relative accessibility of the public rights-of-way during the inventory, survey, and public comment periods.

### **Priority Ranking**

In order to determine the overall priority of specific improvements to enhance accessibility within the public rights-of-way, the following criteria were used.

PRIORITY OF CAPITAL IMPROVEMENTS NEEDED			
Land Use Type	Locations Serving Government Facilities	Commercial Services & Employment Centers	Other Land Uses
	1	2	3

The priority of improvements is based on identifying which of the public rights-of-ways serve a particular area/site within the Village, and the accessibility of the rights-of-way with respect to barriers. By prioritizing facilities nearest government property, access to civic participation is ensured for residents impacted by ADA regulation. A map depicting Village property is located in Appendix A.

### **Public Comment/Complaint Process**

The public comment/complaint process is fundamental and an integral part of the Transition Plan. Public complaints or requests help drive the prioritization of improvements. To file a complaint or a request regarding the accessibility of a sidewalk or curb ramp, interested parties are urged to contact the ADA Coordinator in writing and describe the issue in detail, including the location. The ADA Coordinator will inspect and document the need for further possible action. The ADA Coordinator will record the formal response and reply to the complainant/requestor. All complaints or requests will be kept on file and will include the response. Appendix B contains the Village of Spencerville Public Comment/Complaint Form for Pedestrian Facilities in the Public Rights-of-Way.

### **New Construction & Alterations**

In order to ensure the correct design of curb ramps, sidewalks, and crosswalks in new construction and alterations within the public rights-of-way, the Village of Spencerville will follow the Ohio Department of Transportation (ODOT) design specifications (see Appendix C). Moreover, whenever there is an alteration, intersection, roadway improvement project or new construction project, any affected curb ramp, sidewalk, and/or crosswalks within the affected area will be rebuilt to such ADA design guidelines. In order to improve accessibility the Village may choose to integrate PROWAG design standards into certain projects where feasible and reasonable. The Village will require minimum 5' sidewalk widths whenever federal MPO/ODOT/DOT monies are used in financing such improvements.

## **SCHEDULE**

As opportunity allows, the Village of Spencerville will make efforts to improve the ADA Accessibility of pedestrian facilities in the public rights-of-way. At this time, the Village of Spencerville has budgeted up to \$10,000 annually for sidewalk improvements. The Village has scheduled a street maintenance plan for which is roughly a decade and will likely cannibalize some scheduled ADA improvements. The total cost of improvements is estimated to be nearly \$100,000. Note that this schedule is flexible, as changes may occur such as additional funding, storms, improvements due to power and electric companies, etc.

Additionally, given a program as broad and comprehensive as the Village's pedestrian network, the Village will follow the concept of "program access" under Title II of the ADA. Program access does not necessarily require an entity to make every approach of each of its existing facilities accessible to and usable by individuals with disabilities, as long as the program as whole is accessible. Under this concept, the Village may choose not to install a sidewalk at some locations (or to install them as a lower priority later), as long as a reasonable path of travel is available even without a compliant sidewalk.

## **ADA Coordinator**

The official responsible for the implementation of the Village of Spencerville's ADA Transition Plan for the pedestrian facilities in the public rights-of-way is:

Mr. Sean Chapman  
Village Administrator & ADA Coordinator  
Phone Number: 419-647-6263  
Email Address: [schapman@spencervilleoh.com](mailto:schapman@spencervilleoh.com)  
Website: [www.spencervilleoh.com/](http://www.spencervilleoh.com/)

## **PUBLIC INPUT**

The Village of Spencerville provided opportunities for individuals to comment on this Transition Plan, which included:

- DRAFT and FINAL Document (Transition Plan) made available on the Village website.
- Public Meetings typically held every 1<sup>st</sup> and 3<sup>rd</sup> Mondays at 6p.m.

- Open house and presentation at a public meeting scheduled for August 7, 2023.

The Village of Spencerville published a legal notice in the largest newspaper of general circulation, The Lima News starting on XMonth xx, 2023. (See Appendix E) The legal notice announced the availability of the Draft ADA Transition Plan at the Village Hall with easy public access. Hard copies of the finalized plan have been made available at the Village Hall. The Village also made the ADA Transition Plan available at the Spencerville Fire Department during normal business hours. The Village website published notices and provides instructions regarding the timetable for comments and where to send them. Public comments were accepted for no less than 30 days and continue to be accepted today. The form for public comments/concerns is attached as Appendix B.

Formal adoption of the ADA Transition Plan is currently scheduled to take place in July, 2023. Thereafter, the Transition Plan will be available on the Village website and by written formal request to the ADA Coordinator.

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## APPENDIX A: PUBLIC RIGHTS-OF-WAY INVENTORY

The roadway and sidewalk network in the Village of Spencerville is dense and walkable. The existing roadway infrastructure is in good condition and sidewalks within the public rights-of-way are typically in a compliant state when present. Of 15.7 miles of sidewalk, less than 600 feet was found to be non-compliant. Table 1 provides recommendations to improve accessibility within the village.

The most recurring instance of noncompliance is the absence of detectable warning devices (DWDs). The devices are intended to keep pedestrians on the proper path to safely navigate intersection crossings. The truncated dome mats intended to provide guidance to visually impaired pedestrians are sparsely located.

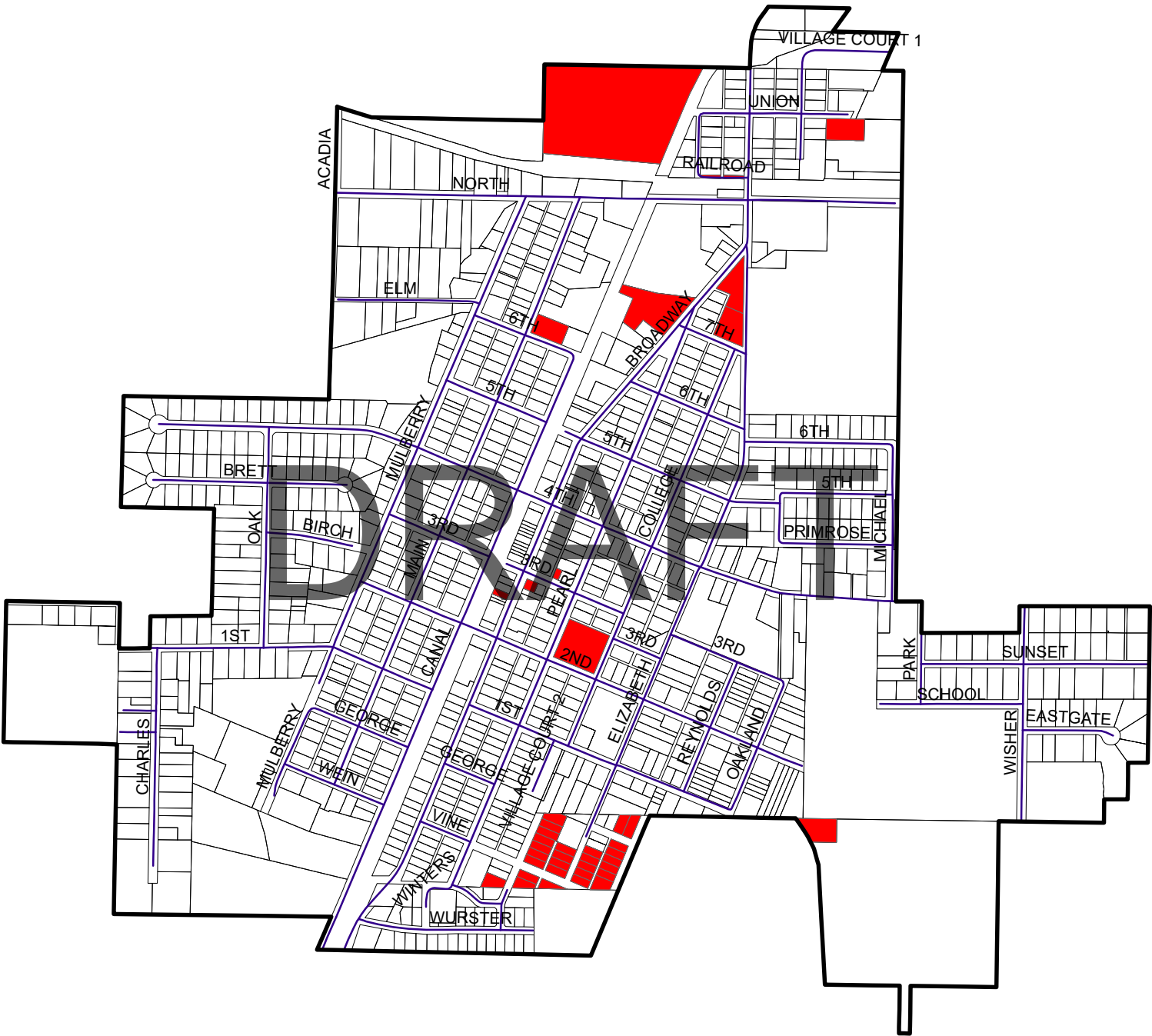
Spencerville has little roadway with curbs. The lack of curbs allows for less expensive repairs at crossings due to the cost of curb ramps. Fortunately, an overwhelming percentage of at-grade landings were compliant as well.

Residents that require ADA-related provisions would benefit from adding segments of the sidewalk to complete pedestrian routes. Oftentimes sidewalks have not been extended through parking lots or across alleys. Crosswalks on Main Street were not provided to allow pedestrians to travel north-south safely. The Old Acadia Park is not served by sidewalk and no accommodations for residents with disabilities have been afforded.

TABLE 1	
Deficient Infrastructure	
DWDs	149
Sidewalk	555'
At-Grade Landings	5
Ramps	3

	Nearest Intersection	DWDs Needed	Sidewalk Replaced (ft)	Other Improvements		Intersection	DWDs Needed	Sidewalk Replaced (ft)	Other improvements
	1st & Main	6				5th & Primrose	2		
	2nd & Main	8				Michael & Primrose	1		
	3rd & Main	8							
	5th & Main		5			2nd & Reynolds	2		
	George & Main	4				3rd & Reynolds	1		
	Main & Wein			landing		4th & Reynolds	2	30	
	1st & Mulberry	2				1st & Broadway		10	
	3rd & Mulberry	4				6th & Broadway		100	
	4th & Mulberry	3				Broadway & Union	3	100	
	5th & Mulberry	1							
	6th & Mulberry	2				Briggs & Union	2		2 landings
	Mulberry & Wein	1							
						5th & Michael	1		
	1st & Pearl	6				6th & Michael	1		
	2nd & Pearl	8							
	3rd & Pearl	8				Pearl & Vine	2		2 landings
	4th & Pearl		50			George & Pearl			
	5th & Pearl	4							
	6th & Pearl	3	100			Eastgate & Wisher	1		
	7th & Pearl		30						
						North St & Western Corp Line		30	
	1st & Charles	2							
						5th & Alley		20	
	1st & Canal	2							
	2nd & Canal	5				2nd & Alley	2		
	3rd & Canal	4							
	5th & Canal	2							
	Canal & George	2							
	Canal & Wein	1							
	College & Wurster	2							
	College & Winters	2							
	1st & College	3	10						
	2nd & College	5		new ramp					
	3rd & College	6							
	5th & College	5		new ramp					
	6th & College	3							
	1st & Elizabeth	4							
	2nd & Elizabeth	5	50						
	3rd & Elizabeth	4							
	4th & Elizabeth		20						
	5th & Elizabeth	3							
	6th & Elizabeth	1		new ramp					
Column total		129	265	3-ramp 1-landing			20	290	4 landings
Grand total		DWDs 149	Sidewalk 555	Ramps 3	Landings 5				

# PROPERTIES OWNED BY VILLAGE OF SPENCERVILLE



Properties



JUNE, 2023



**APPENDIX B:  
PUBLIC COMMENT/CONCERN  
FOR PEDESTRIAN FACILITIES IN THE PUBLIC RIGHTS-OF-WAY**

In an attempt to comply with the American with Disabilities Act, Mayor Darrel Pugin and Sean Chapman, Coordinator of the Village of Spencerville ADA Transition Plan are soliciting public comments and concerns regarding the ADA Transition Plan and pedestrian facilities within the public rights-of-way. Residents are encouraged to participate in the identification of obstacles and the ongoing improvement of public rights-of-ways within the Village of Spencerville.

Public complaints, suggestions and comments are an integral part of the Transition Plan. Public comments may often drive the prioritization of improvements. To file a comment, concern or request, please mail the Village of Spencerville at 116 S Broadway Street, Spencerville, Ohio 45887 or by telephone at 419-647-6263 or by email at [schapman@spencervilleoh.com](mailto:schapman@spencervilleoh.com).

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**PUBLIC COMMENT/CONCERN & RESPONSE FORM**  
(Please provide specific locations and or pictures of obstacles)

**Date of Comments:** \_\_\_\_\_

**Name of Person:** \_\_\_\_\_

**Comments:** \_\_\_\_\_

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**Response:** \_\_\_\_\_

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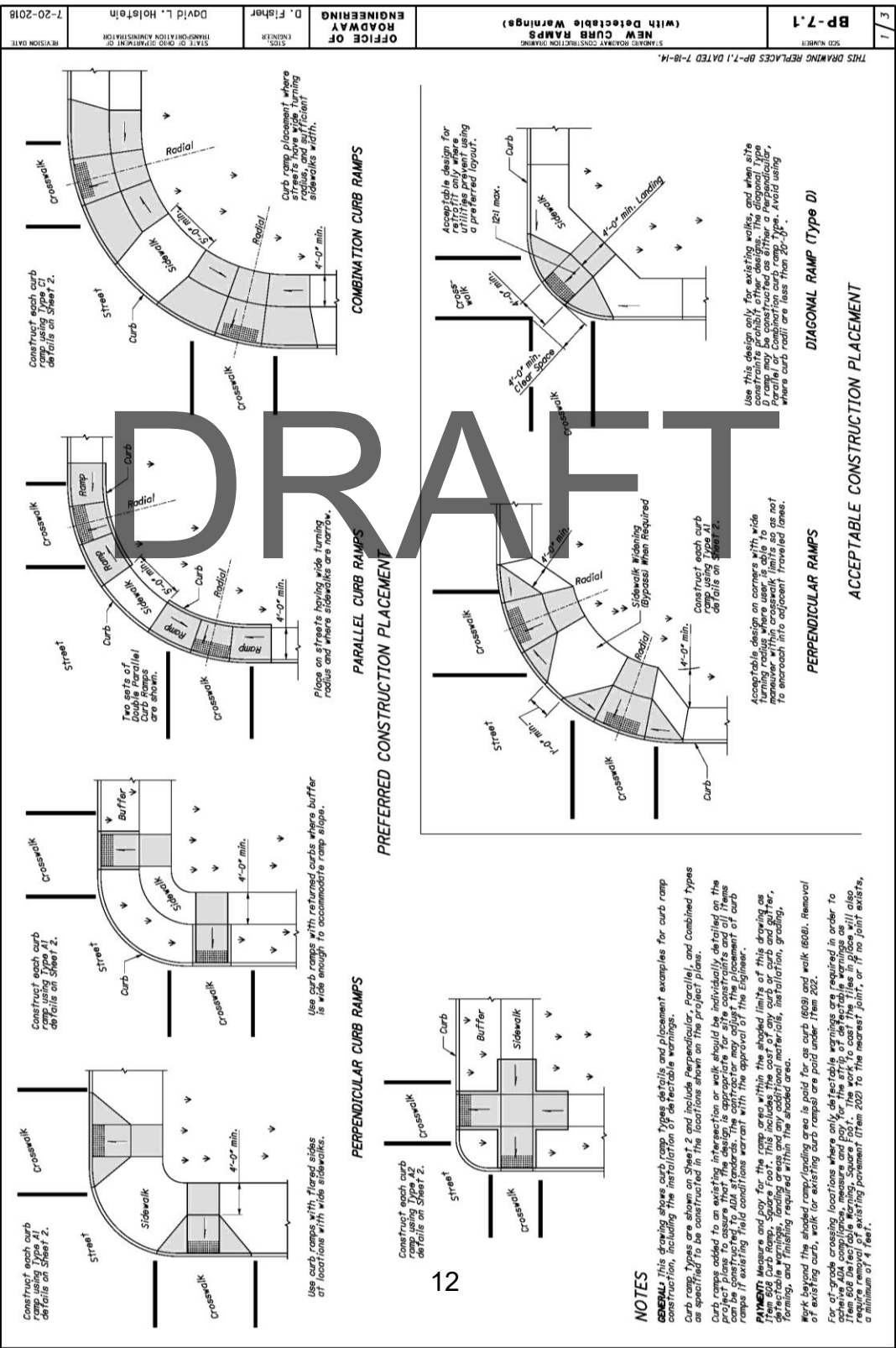
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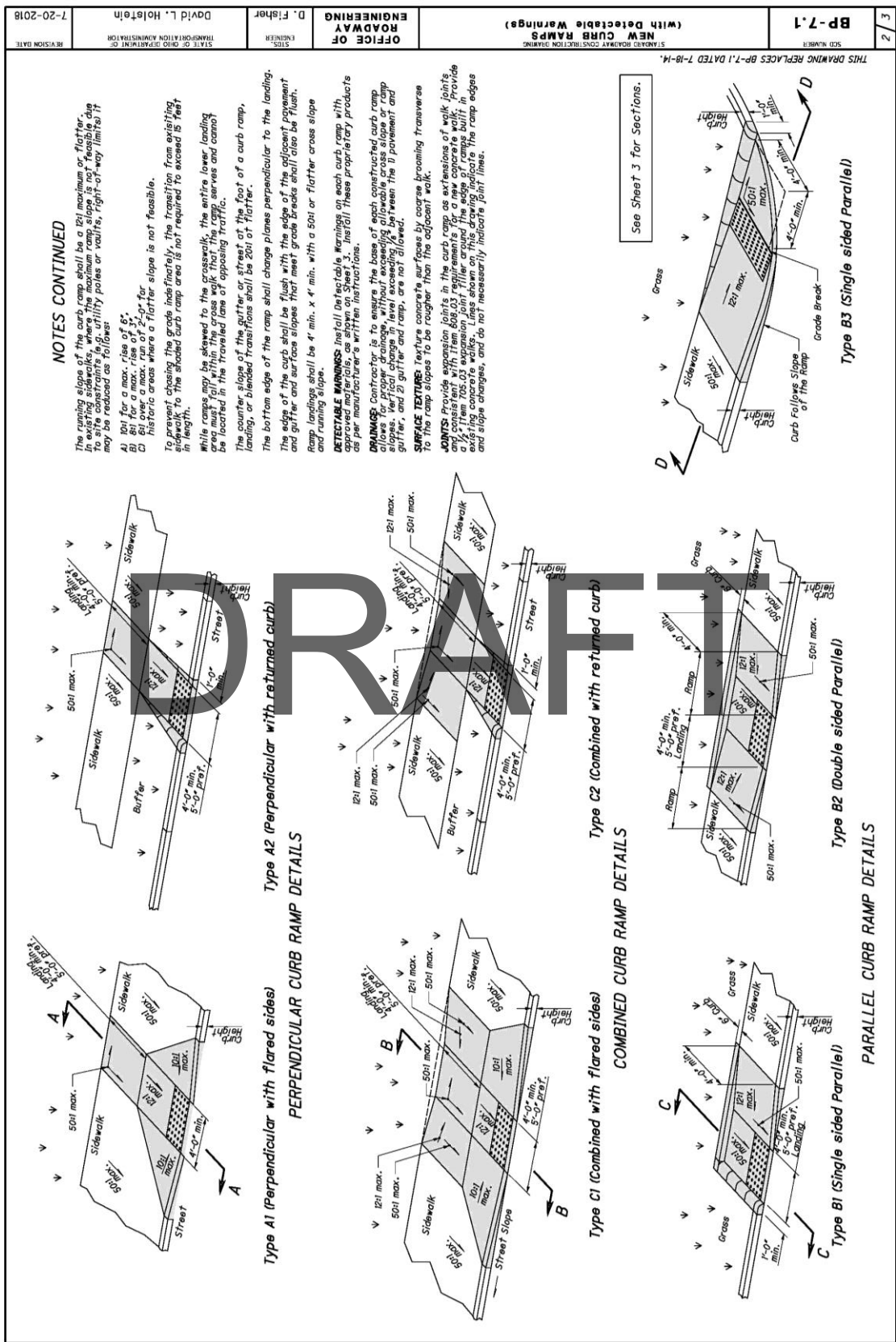
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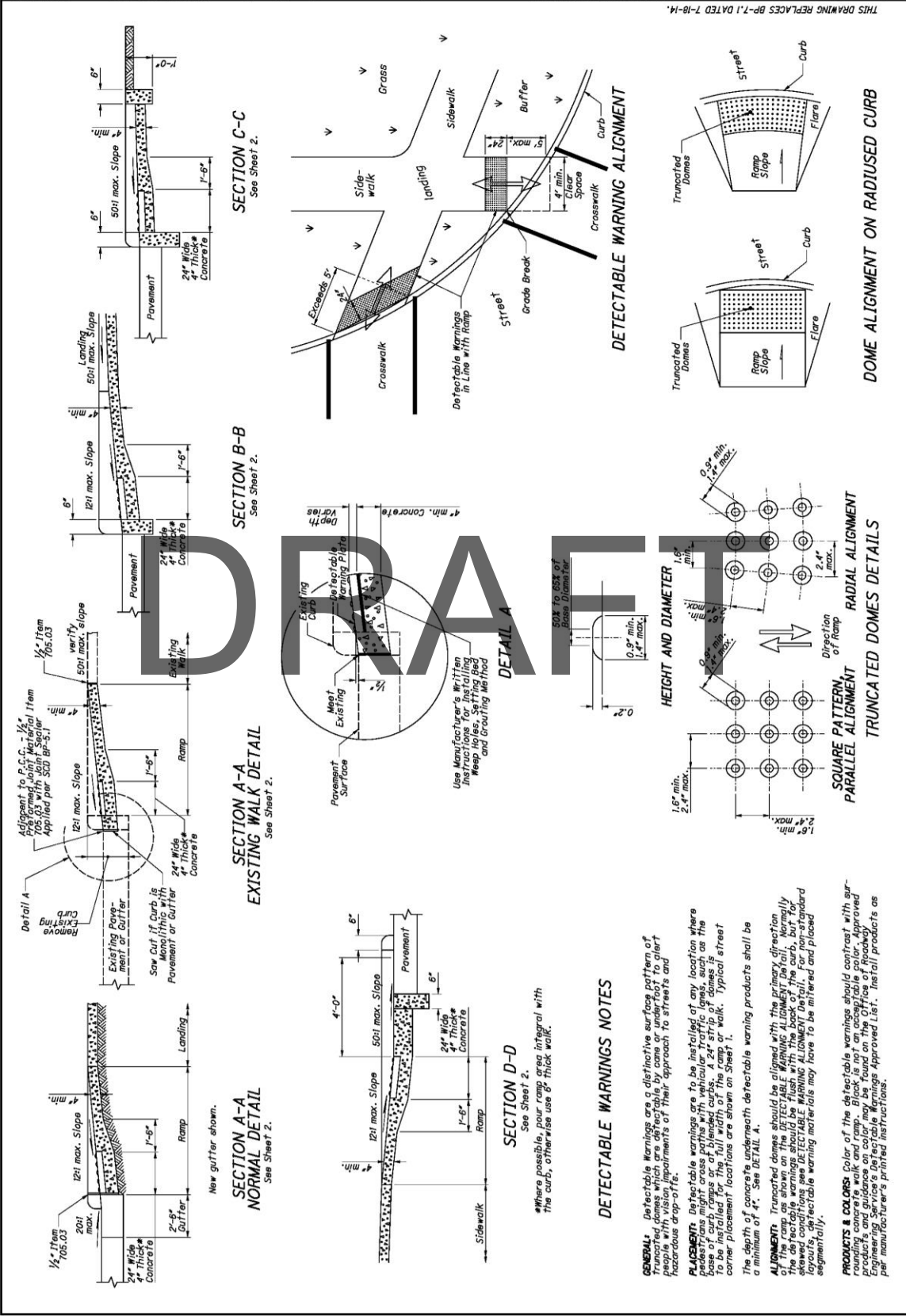
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APPENDIX C: THE OHIO DEPARTMENT OF TRANSPORTATION



# (ODOT) DESIGN SPECIFICATIONS





## **APPENDIX D: VILLAGE OF SPENCERVILLE POLICY STATEMENT GOVERNING THE AMERICANS WITH DISABILITIES ACT TRANSITION PLAN & PEDESTRIAN FACILITIES IN THE PUBLIC RIGHTS-OF-WAY**

### **Legal Requirements:**

The Federal legislation known as the Americans with Disabilities Act (ADA) enacted on July 26, 1990 provides comprehensive civil rights protections to persons with disabilities in the area of employment, state and local government services, and access to public accommodations, transportation and telecommunications.

Title II specifically applies to “public entities” (state and local governments) and the programs, services and activities they deliver. Title II, Article 8, requires public entities to take several steps designed to achieve compliance. The Village Transition Plan will, at a minimum include:

- A list of physical barriers in a public entity’s facilities that limit accessibility of its programs, activities, or services to individuals with disabilities.
- A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible.
- The schedule for taking the necessary steps to achieve compliance with Title II.
- The name of the official responsible for the plan’s implementation.

The Village is in an ongoing process of identifying and assessing obstacles in the public rights-of-way through the use of an Inventory Tool. Barrier removal priorities based on location land use and accessibility conditions are integrated within the inventory process. It is very important that the public be aware that their involvement in this Plan is a valuable component to Village efforts toward establishing a workable plan of compliance.

### **Summation:**

An inventory of the Village of Spencerville streets is included with this Transition Plan. The inventory reflects a prioritized list of projects to necessary to complete ADA requirements. An annual appropriation to bring sidewalks into ADA compliance will work to eliminate barriers and complete the requirements as the Village authorizes paving projects. The Village will annually reassess priorities to better serve the mobility limited and work to ensure reasonable access and ADA compliance within the community.