

***East Alabama Regional Planning and Development
Commission***

Americans with Disabilities Act Transition Plan

2023

For information regarding this document, please contact
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Date Adopted:

Prepared by the
East Alabama Regional Planning and Development Commission

Resolution 2023-6567

*The East Alabama Regional Planning and Development Commission
adopting the Americans with Disabilities Transition Plan*

WHEREAS, Title II of the Americans with Disabilities Act of 1990 (ADA) prohibits discrimination on the basis of disability of public entities; and

WHEREAS, Title II of the ADA mandates that every public agency with more than 50 employees complete a self-evaluation for accessibilities of its facilities, services, programs, and activities; and

WHEREAS, the East Alabama Regional Planning and Development Commission (EARPDC) has conducted a self-evaluation and determined compliance of its facilities, services, programs, and activities with the ADA requirements; and

WHEREAS, a Transition Plan has been developed outlining EARPC's compliance with ADA regulations.

NOW THEREFORE, BE IT RESOLVED that the East Alabama Regional Planning and Development Commission adopts the ADA Transition Plan.

Adopted this day 27^h day of September of 2023.

DocuSigned by:
Judge Dean
797BED003EAF4A5...

Chairman

Attest:

Rena Snyder
Secretary

INTRODUCTION

The East Alabama Regional Planning and Development Commission (EARPDC) is one of 12 regional councils in the State of Alabama as provided for by Act No. 584 and Act No. 585 of the Alabama Legislature, 1963. The councils serve local governments and citizens by coordinating region-wide projects and services, promoting cooperation among local governments, and carrying out state and federal programs on a regional basis. The EARPDC encompasses Calhoun, Chambers, Cherokee, Clay, Cleburne, Coosa, Etowah, Randolph, Talladega, and Tallapoosa counties. The EARPDC also works through a consultation process with citizens within their 10 counties, nonprofits, and the private sector. A portion of the EARPDC serves as staff to the Calhoun Area Metropolitan Planning Organization (MPO). The EARPDC is committed to compliance with the *Americans with Disabilities Act of 1990* (ADA).

PURPOSE

The purpose of this plan is to record the ADA activities of the EARPDC and to schedule improvements to comply with the law. The programs managed by the EARPDC affect all citizens of east Alabama, including those with disabilities. The EARPDC provides social services to thousands of senior citizens, writes and manages grants that fund public utilities, and prepares plans that guide federal, state, and local funding. When providing these services, the EARPDC ensures the needs of people with disabilities are considered and that people with disabilities are allowed to participate in all program aspects.

LAW AND REGULATIONS

The ADA prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, State and local government services, public accommodations, commercial facilities, and transportation. Title II of the Act specifically applies to state and local governments. The regulations for Title II were published as 28 CFR Part 35 *Nondiscrimination on the Basis of Disability in State and Local Government Services*.

PUBLIC INVOLVEMENT

The draft of this plan was available for review. Copies of the draft were available at the EARPDC office, on the EARPDC website, and by request (mail and email). Appendix A includes the mailing list for this effort.

ANNUAL REVIEW

The EARPDC staff will review this plan every October. The review will determine if any changes to the policy or grievance procedures are warranted. The review will also update the status of the required facilities upgrades in the transition plan.

NOTICE UNDER THE AMERICAS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the ADA, EARPDC will not discriminate against qualified individuals with disabilities based on disability in its service, programs, or activities.

Employment

EARPDC does not discriminate based on 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

EARPDC will, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the EARPDC's programs, services, and activities.

Modifications to Policies and Procedures

EARPDC will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all its programs, services, and activities. For example, individuals with service animals are welcomed in EARPDC offices where pets are 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 EARPDC should contact Eric Wright, Post Office Box 2186, Anniston, Alabama 36202; 256-237-6741, or Eric.Wright@earpdc.org as soon as possible but no later than 48 hours prior to the scheduled event.

The ADA does not require EARPDC to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administration burden.

Complaints that a program, service, or activity of EARPDC is not accessible to persons with disabilities should be directed to Eric Wright, Post Office Box 2186, Anniston, Alabama 36202; 256-237-6741, or Eric.Wright@earpdc.org.

EARPDC will not place a surcharge on an 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.

GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

EARPDC's Grievance Procedure is established to meet the requirements of ADA. It may be used by anyone who wishes to file a complaint alleging discrimination based on disability in the provision of services, activities, programs, or benefits by the EARPDC.

The complaint should be in writing and contain information about the alleged discrimination such as the 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 their designee as soon as possible, but no later than 60 calendar days after the alleged violation to:

Eric Wright ADA Coordinator
P.O. Box 2186
Anniston, AL 36202

Within 15 business days after receipt of the complaint, Eric Wright or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 business days of the meeting, Eric Wright or his designee will respond in writing, and where appropriate, in a format accessible to the complainant. The response will explain the position of EARPDC and offer options for substantive resolution of the complaint.

If the response does not satisfactorily resolve the issue, the complainant or their designee may appeal the decision within 15 business days after receipt of the response to the Executive Director or their designee.

Within 15 business days after the receipt of the appeal, the Executive Director or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 business days after the meeting, the Executive Director or their designee 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 Eric Wright or his designee, appeals to the Executive Director or their designee, and responses from these two offices will be retained by the EARPDC for at least three years.

TRANSITION PLAN

Governments with more than 50 employees are required to develop an ADA transition plan that lists the physical changes needed to comply with the act.

The EARPDC staff conducted a self-evaluation in August 2023, following the *ADA Checklist for Existing Facilities* from the Institute of Human Centered Design 2016. The checklist is based on the 2010 Standards for Accessible Design. The spreadsheet on the next page serves as the transition plan for the EARPDC.

Known Physical Barriers

Planned Method to Remove Barrier

Schedule Interim Steps (If Schedule is Longer Than a Year)

		Building Exterior	
Handicap parking spaces and access aisles are very faint	Restriping of handicap spaces and access aisles	Within 1 year	
One handicap parking space does not have signage	Install sign without obstructing the building's sign.	Within 1 year	
		Third Floor	
Signs designating permanent rooms and spaces not likely to change over time: Do not have raised characters. Are not in Braille Are not mounted on the wall on the latch side of the door	Install tactile signs for conference and break rooms with clear floor space beyond the arc of the door swing between the closed position and 45-degree open position, at least 18x18 inches centered on the tactile characters so that the baseline of the lowest character is at least 48 inches above the floor and the baseline of the highest character is no more than 60 inches above the floor.	Within 1 year	
Signs that provide direction to or information about interior spaces are not mounted and do not include directions	Install signs with contrasting colors that include directions	Within 1 year	
Conference room maneuvering clearance is 16"x109"; 18" needed on non-door side	Reconfigure walls or install an automatic door opener	2 years	Obtain quotes for automatic door opener
Waiting area does not have clear floor space at least 30 inches wide by at least 48" long for a forward or parallel approach to light switch	If constructed before 3/15/2012 and a parallel approach is provided, controls can be 54" above the floor.	2 years	Obtain quotes to relocate switches/obstructions
Men's restroom does not include: International Symbol of Accessibility Raised characters Braille Is not mounted on wall on the latch side of the door	Install accessible toilet room with the International Symbol of Accessibility, raised characters and braille. Mount sign on wall on the latch side of the door with clear floor space beyond the arc of the door swing between the closed position and 45-degree open position, at least 1/18 inches centered on the tactile characters and so the baseline of the lowest character is at least 48 inches above the floor and the baseline of the highest character is no more than 60 inches above the floor.	1 year	
Men's restroom: bottom edge of mirror over lavatory is higher than 40" above the floor and is obstructed.	Remove obstruction and lower mirror where bottom edge is no higher than 40 inches above the floor is above lavatory or 35 inches is not over lavatory.	2 years	Install signage to direct to accessible bathroom on 2 nd floor.
Men's restroom: pipes below lavatory are not insulated or configured to protect against contact	Cover pipes below lavatory to prevent contact.	2 years	Install signage to direct to accessible bathroom on 2 nd floor.
Men's restroom: soap dispenser over 44 inches above the floor.	Adjust height of dispensers to be no less than 44 inches above the floor if above lavatories or counters between 20-25 inches deep.	1 year	
Men's restroom towel dispenser is greater than 44" above the floor.	Adjust dispenser to corrected height or remove wall mounted waste basket. Once unobstructed 48" above the floor is appropriate height.	1 year	Install signage to direct to accessible bathroom on 2 nd floor.
Men's restroom toilet less than 17" above the floor measured to the top of the seat.	Install new toilet that is no less than 17 inches and no greater than 19 inches above the floor measured to the top of the seat.	2 years	Install signage to direct to accessible bathroom on 2 nd floor.
Men's restroom does not have a grab bar at least 42" long on the side wall.	Install grab bar at least 42" long on the side wall of the toilet stall. Bar must be located no more than 12" from rear wall, extend at least 54" from rear wall, be mounted between 33-36" above the floor to the top of the gripping surface; have at least 12 inches of clearance between any projecting objects above; have at least 1.5" clearance between any projecting objects below; have at least 1.5" space between the walls.	2 years	Install signage to direct to accessible bathroom on 2 nd floor.

Men's restroom does not have a grab bar at least 36" long on the rear wall.	Install grab bar at least 36" long on the back wall of the toilet stall. Bar must be located no more than 12" from rear wall, extend at least 24" from open side, be mounted between 33-36" above the floor to the top of the gripping surface; have at least 12 inches of clearance between any projecting objects above; have at least 1.5" clearance between any projecting objects below; have at least 1.5" space between the walls.	2 years	Install signage to direct to accessible bathroom on 2 nd floor.
Known Physical Barriers	Planned Method to Remove Barrier	Schedule	Interim Steps (If Schedule is Longer Than a Year)
Men's restroom stall door opening width not at least 32 inches clear between the face of the door and the stop when the door is open 90 degrees.	Widen door width.	2 years	Install signage to direct to accessible bathroom on 2 nd floor.
Men's restroom: there is not at least 18" of maneuvering clearance beyond the latch side plus 60" clear depth.	Remove obstructions to be able to get adequate maneuvering clearance.	2 years	Install signage to direct to accessible bathroom on 2 nd floor.
Men's restroom: door is not self-closing.	Add closer or replace door.	2 years	Install signage to direct to accessible bathroom on 2 nd floor.
Men's restroom: there aren't door pulls on both sides of the door that are operable with one hand and do not require tight grasping, pinching, or twisting of the wrist.	If constructed before 3/15/2012, door pulls do not need to be added. If constructed after 3/15/2012, add hardware between 34-48" above the floor.	2 years	Install signage to direct to accessible bathroom on 2 nd floor.
Men's restroom: lock is not operable with one hand and without tight grasping, pinching, or twisting of the wrist.	Replace lock.	2 years	Install signage to direct to accessible bathroom on 2 nd floor.
Men's restroom: water closet compartment is not at least 56" deep.	Alter compartment.	2 years	Install signage to direct to accessible bathroom on 2 nd floor.
Men's restroom: there is not at least 18" of maneuvering clearance beyond the latch side plus 60" of clear depth.	Remove obstructions, reconfigure walls, or add an automatic door opener.	2 years	Install signage to direct to accessible bathroom on 2 nd floor.
Men's restroom there is not a clear path to at least one of each type of fixture.	Remove obstructions.	Within 1 year	
Men's restroom: there is not clear floor space available for a person in a wheelchair to turn around in a circle at least 60" in diameter or a T-shaped square within a 60" square.	Move or remove partitions, fixtures, or objects.	2 years	Install signage to direct to accessible bathroom on 2 nd floor.
Men's restroom: The centerline of the water closet not between 16-18" from the sidewall or partition.	Move or replace toilet or move partition.	2 years	Obtain quotes to add accessible bathroom – install signage to direct to accessible bathroom on 2 nd floor
Men's restroom: the clearance provided around the water closet is not at least 60" from the side wall and at least 56" from the rear wall.	If constructed before 3/12/2012, clearances can be 48" wide by 66" long or 48" wide by 56" long. If not constructed before 3/12/2012, alter room/compartment for clearance.	2 years	Install signage to direct to accessible bathroom on 2 nd floor.
Men's restroom: the toilet compartment is not at least 60" wide	Widen compartment.	2 years	Install signage to direct to accessible bathroom on 2 nd floor.
Women's restroom sign is obstructed by a hand sanitizer dispenser.	Relocate hand sanitizer dispenser to no longer obstruct signage.	1 year	
Women's restroom does not have a clear path to the water closet of at least 36" wide	Remove chair obstruction	1 year	
Women's restroom does not have clear floor space available for a person in a wheelchair to turn around.	Remove wall mounted waste basket.	1 year	
Women's restroom coat hook is not between 15 and 48 inches above the floor.	Install coat hook between 15 and 48 inches above the floor.	1 year	
Women's restroom soap dispenser on the right is higher than 44" above the floor	Adjust dispenser to corrected height.	1 year	
Women's restroom towel dispenser is greater than 44" above the floor.	Adjust dispenser to corrected height or remove wall mounted waste basket. Once unobstructed 48" above the floor is appropriate height.	1 year	

Women's restroom: door is not self-closing.	Add closer or replace door.	2 years	Install signage to direct to accessible bathroom on 2 nd floor.
Women's restroom: there aren't door pulls on both sides of the door that are operable with one hand and do not require tight grasping, pinching, or twisting of the wrist.	If constructed before 3/15/2012, door pulls do not need to be added. If constructed after 3/15/2012, add hardware between 34-48" above the floor.	2 years	Install signage to direct to accessible bathroom on 2 nd floor.
Facility Other			
Elevator does not have audible signals which sound as the car passes or is about to stop at a floor	Install audible signals	1 year	
Sign on both door jams of elevator are mounted higher than 48" to the baseline of the lowest character and 60 inches to the baseline of the highest character above the floor	Elevator was constructed before 3/15/2012 and sign is mounted no higher than 60 inches to the centerline of the sign; relocation is not required.	1 year	

THE ANNISTON STAR

**State of Alabama
Calhoun County**

Before me, a notary public in and for the county and state above listed, personally appeared Debbie Bussie, who, by me duly sworn, deposes and says that: "My name is Debbie Bussie. I am the clerk of The Anniston Star. The Newspaper published the attached legal notice(s) in the issue(s) of:

September 8, 2023

The sum charged for publication was \$ 100.00. The sum charged by the Newspaper for said publication does not exceed the lowest classified rate paid by commercial customers for an advertisement of similar size and frequency in the same newspaper(s) in which the public notice(s) appeared. There are no agreements between the Newspaper and the officer or attorney charged with the duty of placing the attached legal advertising notices whereby any advantage, gain or profit accrued to said officer or attorney."

Debbie Bussie
AFFIANT

Sworn and subscribed this 8 day of September, 2023

Candace Neely
Notary Public

Ad# 4107579

