

City of Winder

# Americans with Disabilities Act (ADA) Self-Evaluation & Transition Plan

*May 2024*

Prepared by:

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Expect More. Experience Better.

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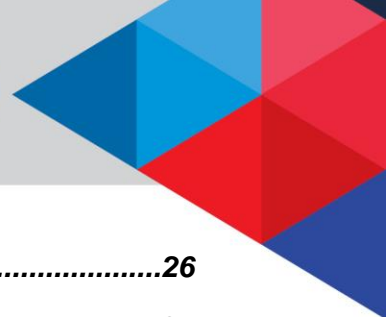


The City of Winder has prepared this transition plan with the assistance of the consultant team led by Kimley-Horn and Associates, Inc. The Consultant Team, the ADA Coordinator, and the contributing departments of the City of Winder are responsible for developing the ADA Self-Evaluation and Transition Plan report and program.



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## ABBREVIATIONS

**ADA** – Americans with Disabilities Act

**ABA** – Architectural Barriers Act

**ADAAG** – Americans with Disabilities Act Accessibility Guidelines

**CFR** – Code of Federal Regulations

**CIP** – Capital Improvement Projects

**DOJ** – United States Department of Justice

**FHWA** – Federal Highway Administration

**MUTCD** – Manual on Uniform Traffic Control Devices

**PROWAG** – Proposed Public Rights-of-Way Accessibility Guidelines

**PSA** – Programs, Services, and Activities



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## 1.0 INTRODUCTION



### 1.1 PURPOSE

The purpose of this Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan is to summarize the activities completed to date related to ADA compliance, identify physical and programmatic barriers to access, and create a roadmap for the City of Winder to implement barrier removal over time. Prioritization methodology for evaluating and implementing improvements was developed based on the applicable 2010 ADA Standards, 2023 Proposed Public Rights-of-Way Accessibility Guidelines (PROWAG), and the details are provided in this document.

This document includes an overview of the ADA and provides recommendations for the City of Winder based on guidance from the Federal Highway Administration (FHWA) and the U.S. Department of Justice (DOJ) to improve accessibility for the public.



### 1.2 LEGISLATIVE MANDATE

The Americans with Disabilities Act (ADA) is a civil rights law that mandates equal opportunity for individuals with disabilities. The ADA prohibits discrimination in access to jobs, public accommodations, government services, public transportation, and telecommunications. Title II of the ADA also requires that public entities' programs, services, and activities (PSAs) provide equal access for individuals with disabilities.

The City of Winder will comprehensively evaluate its PSAs and facilities to determine how much individuals with disabilities may be restricted in their access.



### 1.3 ADA SELF-EVALUATION AND TRANSITION PLAN DEVELOPMENT REQUIREMENTS AND PROCESS

The City of Winder is obligated to observe all Title I requirements in its employment practices, Title II requirements in its policies, programs, and services, any parts of Titles IV and V that apply to the City and its programs, services, or facilities, and all requirements specified in the applicable ADA Standards and 2023 PROWAG that apply to facilities and other physical holdings.

Title II has the broadest impact on the City. Title II includes administrative requirements for all government entities employing more than 50 people. These administrative requirements are:

- ▶ Completion of a Self-Evaluation;
- ▶ Development of an ADA complaint/grievance procedure;
- ▶ Designation of at least one (1) person who is responsible for overseeing Title II compliance; and
- ▶ Development of a Transition Plan to schedule the removal of the barriers uncovered by the Self-Evaluation process. The Transition Plan will become a working document until all barriers have been addressed.



This document describes the process developed to complete the evaluation of the City of Winder's PSAs and facilities, provides possible solutions to remove programmatic barriers, and presents a Transition Plan for the modification of facilities and public rights-of-way to improve accessibility, which will guide the planning and implementation of necessary program and facility modifications over the next several years. The ADA Self-Evaluation and Transition Plan is significant because it establishes the City's ongoing commitment to developing and maintaining PSAs and facilities that accommodate all its citizenry.



## **1.4 DISCRIMINATION AND ACCESSIBILITY**

Program accessibility means that, when viewed in its entirety, each program is readily accessible to and usable by individuals with disabilities. This is necessary not only for individuals with mobility needs but also for individuals with sensory and cognitive disabilities.

Accessibility applies to all aspects of a program or service, including but not limited to physical access, advertisement, orientation, eligibility, participation, testing or evaluation, provision of auxiliary aids, transportation, policies, and communication.

The following are examples of elements that should be evaluated for barriers to accessibility:

### **1.4.1 PHYSICAL BARRIERS**

- ▶ Parking
- ▶ Path of travel to, throughout, and between buildings, parks, and amenities
- ▶ Doors
- ▶ Service counters
- ▶ Restrooms
- ▶ Drinking fountains
- ▶ Public telephones
- ▶ Path of travel along sidewalk corridors within the public rights-of-way
- ▶ Access to pedestrian equipment at signalized intersections

### **1.4.2 PROGRAMMATIC BARRIERS**

- ▶ Building/park signage
- ▶ Customer communication and interaction
- ▶ Non-compliant sidewalks or curb ramps
- ▶ Emergency notifications, alarms, and visible signals
- ▶ Participation opportunities for City-sponsored events

### **1.4.3 ONGOING ACCESSIBILITY IMPROVEMENTS**

City PSAs and facilities evaluated during the Self-Evaluation will continue to be assessed on an ongoing basis, and the ADA Transition Plan will be revised to account for changes that have





been or will be completed since the initial Self-Evaluation. This Plan will be posted on the City's website for public review and consideration.

#### 1.4.4 CITY OF WINDER APPROACH

The purpose of the Transition Plan is to provide the framework for achieving equal access to the City of Winder's programs, services, activities, and facilities within a reasonable timeframe. The City's elected officials and staff believe that accommodating persons with disabilities is essential to good customer service, ensures the quality of life Winder residents seek to enjoy, and guides future improvements.

The City of Winder should make reasonable modifications to PSAs when necessary to avoid discrimination based on disability unless the City can demonstrate that the modifications will fundamentally alter the nature of the program, service, or activity. The City of Winder will not place surcharges on individuals with disabilities to cover the cost of making PSAs accessible.

#### 1.4.5 EXCEPTIONS AND EXEMPTIONS

A municipality is not required to take any action that would create any undue financial or administrative burden for the public entity, create a hazardous condition for other people, or threaten or destroy the historic significance of a historic property.

In determining whether an alteration would impose an undue financial or administrative burden on a covered entity, factors to be considered include (i) the nature and cost of the alteration needed; (ii) the overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation; the number of persons employed at such facility; the effect on expenses and resources, or the impact otherwise of such accommodation upon the operation of the facility; (iii) the overall financial resources of the covered entity; the overall size of the business of a covered entity with respect to the number of its employees; the number, type, and location of its facilities; and (iv) the type of operation or operations of the covered entity, including the composition, structure, and functions of the workforce of such entity; the geographic separateness, administrative, or fiscal relationship of the facility or facilities in question to the covered entity.

In determining whether an alteration would threaten or destroy the historic significance of a historic property, the City should first confirm if the property is on the National Register of Historic Places. Based on a search of the National Register of Historic Places NPGallery Database (<https://npgallery.nps.gov/nrhp>) and the associated geodatabase (<https://irma.nps.gov/DataStore/Reference/Profile/2210280>), there are six (6) registered historical buildings and five (5) registered historic districts within the City of Winder. The 11 historic sites within the City include:

- ▶ Athens – Candler Church Street Historic District
- ▶ Barrow County Courthouse
- ▶ Broad Street Commercial Historic District
- ▶ Carlyle – Blakey Farm
- ▶ Downtown Winder Historic District
- ▶ Jackson Street Commercial Historic District

- ▶ Jackson – Johns House
- ▶ North Broad Street Residential Historic District
- ▶ Omer Christian Church and Cemetery
- ▶ Rockwell Universalist Church
- ▶ Winder Depot

The City has established the Historic Preservation Commission. The Commission protects, enhances, and perpetuates historic value properties, and stimulates the revitalization of historic neighborhoods and business districts. The Commission typically reviews all proposed new development and exterior renovations within the City's historic district for compatibility and appropriateness. The Historic Preservation Commission should consider the ADA when providing recommendations to ensure the current standards are met when facilities are altered.

A municipality is not necessarily required to make each of its existing facilities accessible to and usable by individuals with disabilities. In the event the City determines a proposed action would generate undue financial or administrative burden, create a hazardous condition for other people, or threaten or destroy the historic significance of a historic property, a municipality has a responsibility to communicate and document the decision and the methodology used to reach it. If an action would result in such an alteration or such burdens, a municipality shall take any other actions that would not result in such an alteration or such burdens but would ensure that individuals with disabilities receive the benefits or services provided by the City.



## 1.5 NEW CONSTRUCTION AND ALTERATIONS

If the start date for construction is on or after March 15, 2012, all newly constructed or altered state and local government facilities must comply with the 2010 ADA Standards. Before that date, the 1991 Standards (without the elevator exemption), the Uniform Federal Accessibility Guidelines, or the 2010 ADA Standards may be used for such projects when the start of construction commences on or after September 15, 2010.

The most recent standard is the 2010 ADA Standards, which sets the minimum requirements – both scoping and technical – for newly designed and constructed or altered state and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities. It is effectuated by 28 Code of Federal Regulations (CFR) 35.151 and the 2004 Americans with Disabilities Act Accessibility Guidelines (ADAAG). However, the FHWA and DOJ recommend using PROWAG for designing facilities within the public rights-of-way as a best practice until it is adopted at the federal level. The Manual on Uniform Traffic Control Devices (MUTCD) is also incorporated by reference within PROWAG. It is recommended that the City of Winder adopt PROWAG to become an enforceable document for all City projects within the public rights-of-way, regardless of its adoption status at the state and federal level.

### **2010 ADA Standards**

The Department of Justice's revised regulations for [Titles II](#) and [III](#) of the Americans with Disabilities Act of 1990 (ADA) were published in the Federal Register on September 15, 2010. These regulations adopted revised, enforceable accessibility standards called the 2010 ADA Standards. On March 15, 2012, compliance with the 2010 ADA Standards was



required for new construction and alterations under [Titles II](#) and [III](#). March 15, 2012 is also the compliance date for using the 2010 ADA Standards for program accessibility and barrier removal.

### ***PROWAG***

The U.S. Access Board recently published new guidelines under the ADA and the Architectural Barriers Act (ABA) that address access to sidewalks and streets, crosswalks, curb ramps, pedestrian signals, on-street parking, and other components of public rights-of-way. These guidelines also review shared-use paths, which are designed primarily for use by bicyclists and pedestrians for transportation and recreation purposes. The Accessibility Guidelines for Pedestrian Facilities in the Public Rights-of-Way (PROWAG) provide minimum guidelines for the accessibility of pedestrian facilities in the public rights-of-way. When these guidelines are adopted, with or without modifications, as accessibility standards in regulations issued by other federal agencies implementing the ADA, Section 504 of the Rehabilitation Act, and the ABA, compliance with those enforceable accessibility standards is mandatory. The final rule was published on August 8, 2023, and became effective on September 7, 2023. PROWAG is the recommended best practice and can be considered the state of the practice that could be followed for areas not fully addressed by the 2010 ADA Standards.

### ***MUTCD***

Traffic control devices shall be defined as all signs, signals, markings, and other devices used to regulate, warn, or guide traffic, placed on, over, or adjacent to a street, highway, pedestrian facility, bikeway, or private road open to public travel by authority of a public agency or official having jurisdiction, or, in the case of a private road, by authority of the private owner or private official having jurisdiction. The Manual on Uniform Traffic Control Devices is incorporated by reference in 23 CFR, Part 655, Subpart F, and shall be recognized as the national standard for all traffic control devices installed on any street, highway, bikeway, or private road open to public travel in accordance with 23 U.S.C. 109(d) and 402(a). The policies and procedures of the FHWA to obtain basic uniformity of traffic control devices shall be as described in 23 CFR 655, Subpart F.

### ***2013 Outdoor Developed Areas Guidelines***

The Access Board is responsible for developing accessibility guidelines for the construction and alteration of facilities covered by the ADA and the Architectural Barriers Act (ABA) of 1968, which include outdoor developed areas. The Outdoor Developed Areas guidelines ensure that the facilities are readily accessible to and usable by people with disabilities. The Access Board issued the current guidelines in 2004. The 2004 guidelines contain provisions for several recreation facilities, including boating facilities, fishing piers and platforms, golf facilities, play areas, sports facilities, and swimming pools. The Access Board amended the 2004 guidelines in 2013 by adding new provisions for trails, picnic and camping facilities, viewing areas, and beach access routes constructed or altered by federal agencies or by non-federal entities on federal land on behalf of a federal agency pursuant to a concession contract, partnership agreement, or similar arrangement.

The new provisions for trails, picnic and camping facilities, viewing areas, and beach access routes are not included in the DOJ's 2010 ADA Standards and have no legal effect on state and local governments and private entities subject to the DOJ's ADA regulations. However,



state and local governments and private entities may use the provisions for guidance when designing trails, picnic and camping facilities, viewing areas, and beach access routes. State and local governments and private entities are cautioned to check with the DOJ about using the technical requirements for outdoor recreation access routes instead of accessible routes to connect elements at picnic and camping facilities, viewing areas, and trailheads.



## 1.6 MAINTENANCE VERSUS ALTERATIONS

The United States DOJ has issued a briefing memorandum on clarifying maintenance versus alteration projects. The information contained in the memorandum is below. This clarification regarding when curb ramp installation is required as part of a project can be used as a reference for City of Winder staff regularly involved in maintenance and alteration projects.

The Americans with Disabilities Act of 1990 (ADA) is a civil rights statute prohibiting discrimination against persons with disabilities in all aspects of life, including transportation, based on regulations promulgated by the United States DOJ. DOJ's regulations require accessible planning, design, and construction to integrate people with disabilities into mainstream society. Further, these laws require that public entities responsible for operating and maintaining the public rights-of-way do not discriminate in their programs and activities against persons with disabilities. FHWA's ADA program implements the DOJ regulations through delegated authority to ensure that pedestrians with disabilities can use the transportation system's pedestrian facilities in an accessible and safe manner.



*FHWA and DOJ met in March 2012 and March 2013 to clarify guidance on the ADA's requirements for constructing curb ramps on resurfacing projects. Projects deemed to be alterations must include curb ramps within the scope of the project.*

*This clarification provides a single Federal policy that identifies specific asphalt and concrete-pavement repair treatments that are considered to be alterations – requiring installation of curb ramps within the scope of the project – and those that are considered to be maintenance, which do not require curb ramps at the time of the improvement. Figure 1 provides a summary of the types of projects that fall within maintenance versus alterations.*

*This approach clearly identifies the types of structural treatments that both DOJ and FHWA agree require curb ramps (when there is a pedestrian walkway with a prepared surface for pedestrian use and a curb, elevation, or other barrier between the street and the walkway) and furthers the goal of the ADA to provide increased accessibility to the public right-of-way for persons with disabilities. This single Federal policy will provide for increased consistency and improved enforcement.*



**FIGURE 1. MAINTENANCE VERSUS ALTERATION PROJECTS**

 <b>ADA Maintenance</b>	 <b>ADA Alterations</b>
Crack Filling and Sealing Surface Sealing Chip Seals Slurry Seals Fog Seals Scrub Sealing Joint Crack Seals Joint repairs Dowel Bar Retrofit Spot High-Friction Treatments Diamond Grinding Pavement Patching	Open-graded Surface Course Cape Seals Mill & Fill/Mill & Overlay Hot In-Place Recycling Microsurfacing/Thin Lift Overlay Addition of New Layer of Asphalt Asphalt and Concrete Rehabilitation and Reconstruction New Construction

Source: DOJ Briefing Memorandum on Maintenance versus Alteration Projects

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## 1.7 FHWA GUIDANCE ON CLOSING PEDESTRIAN CROSSINGS

An alteration that decreases or has the effect of decreasing the accessibility of a facility below the requirements for new construction at the time of the alteration is prohibited. For example, removing an existing curb ramp or sidewalk (without equivalent replacement) is prohibited. However, the FHWA has indicated that a crossing may be closed if an engineering study (performed by the City and not included in the scope of this Transition Plan) determines that the crossing is unsafe for any user. The crossing should be closed by doing the following:

- ▶ A physical barrier is required to close an intersection crossing. FHWA has determined that a grass strip between the sidewalk and the curb is acceptable as a physical barrier.
- ▶ A sign should be used to communicate the closure.

Agencies wishing to close certain intersection crossings should have a reasonable and consistent policy on when to do so written in their Transition Plan or as a standalone document. If an engineering study establishes safety concerns, a pedestrian crossing should not be accommodated for any user. The City of Winder will only consider closing an existing pedestrian crossing if an engineering study determines it to be unsafe.



## 1.8 EXISTING CITY PROGRAMS THAT IMPLEMENT ADA UPGRADES

The City of Winder currently implements ADA-compliant designs through the following efforts:

- ▶ The City's Sidewalk Grinding Program improves sidewalks by grinding locations where tripping hazards are present, which affords the City a cost savings compared to removing and replacing the sidewalk. This program removed over 1,750 hazards from 2018 through 2022 and resulted in an estimated cost savings of over \$200,000. A summary and map of the program is provided in [Appendix A](#).
- ▶ The City's Pavement Maintenance service includes pothole repairs that eliminate disruptions in the roadway surface. Additional services include preparation and repairs of paved surfaces where required throughout the City, including when these elements intersect the pedestrian path of travel.
- ▶ The City seeks alternate funding mechanisms to fund improvements, such as Safe Routes to Schools (SRTS) and the Community Development Block Grant (CDBG) Program.
- ▶ The City implements ADA-compliant designs through a comprehensive review process for all pedestrian-related design projects, whether completed externally or by the City of Winder. This review process is performed by City staff.



## 2.0 PUBLIC OUTREACH

The City created a public access survey to summarize the transition planning process and receive feedback on accessibility concerns.



### 2.1 WEB SURVEY

The City has developed an online map to allow the public to identify specific locations where they experience issues related to accessibility, safety, connectivity, or suggestions for accessibility improvements that are needed in Winder. The survey was made available through the City's social media sites and the City's website. Feedback was documented between March and April 2024.

The survey garnered 96 responses. About 73% of those surveyed answered positively when asked about the accessibility of the City's amenities or programs, services, and activities. 85% of those surveyed answered positively when asked if they could access available information on the City's website or social media sites. Jug Tavern Park, City Pond Park, Wilkins Greenway Trailhead, and White's Mill were the most visited parks by survey respondents. Response summaries for the web survey are included in [Appendix B](#).

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## 3.0 SELF-EVALUATION AND SUMMARY OF OBSERVATIONS

The City of Winder's Americans with Disabilities Act (ADA) Transition Plan will include the results of a comprehensive review of the programs, services, and activities provided to employees and the public. The Plan will also include the observations from facility evaluations of all City-owned/maintained parks and associated parking lots, park sidewalks and associated curb ramps, stand-alone parking lots, signalized and unsignalized intersections, pedestrian railroad crossings, and public rights-of-way sidewalks and associated curb ramps.



### 3.1 PROGRAMS, SERVICES, AND ACTIVITIES REVIEW

Under the ADA, the City of Winder must complete a Self-Evaluation of the City's facilities, programs, policies, and practices. The Self-Evaluation identifies and provides possible solutions to those policies and practices inconsistent with Title II requirements. To be compliant, the Self-Evaluation should consider all the City's programs, services, and activities and the policies and practices the City uses to implement its various programs and services.

To comply with the requirements of the plan, the City must take corrective measures to achieve program accessibility through several methods, including, but not limited to:

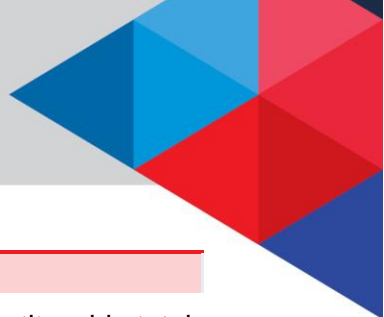
1. Relocation of programs to accessible facilities;
2. Modifications to existing programs so they are offered in an accessible manner;
3. Structural methods such as altering an existing facility;
4. Policy modifications to ensure nondiscrimination; and
5. Auxiliary aids are needed to provide effective communication.

When choosing a method of providing program access, the City should attempt to prioritize the method that promotes inclusion among all users, including individuals with disabilities.

Programs, services, and activities the City offers to the public must be accessible. Accessibility applies to all aspects of a program, services, or activity, including advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, transportation, policies, and communication.

However, the City does not have to take any action that will result in a fundamental alteration in the nature of a program or activity, create a hazardous condition for other people, or result in an undue financial and/or administrative burden. This determination should generally be made by the ADA/504 Coordinator and/or an authorized designee of the City, such as the City Mayor or their designee, and must be accompanied by a written statement detailing the reasons for reaching the determination.

The determination of undue burden must be based on an evaluation of all resources available for use. If a barrier removal action is judged unduly burdensome, the City must consider all other options for providing access to ensure that individuals with disabilities receive the benefits and services of the program or activity. This process must be fully documented.



### **3.1.1 ADA/504 COORDINATOR (TITLE I / TITLE II)**

Under ADA Title II, when a public entity has 50 or more employees based on an entity-wide total count, the entity must designate at least one (1) qualified, responsible employee to coordinate compliance with ADA requirements. This individual's name, office address, and telephone number must be available and advertised to employees and the public. This allows someone to assist with questions and concerns regarding disability discrimination to be easily identified.

The City of Winder appointed Jessica Smith as ADA/504 Coordinator for Title I and Title II. Below is the ADA Coordinator's contact information.

Jessica Smith, ADA/504 Coordinator  
Public Works Administrative Assistant  
City of Winder Public Works  
25 E. Midland Ave  
Winder, GA 30680  
Office: (770) 867-3106  
Relay: 7-1-1  
jessica.smith@cityofwinder.com

The ADA/504 Coordinator's contact information must be provided to interested parties. The following distribution methods should be considered:

- ▶ Post on the City website;
- ▶ Prominently display in common areas that are accessible to all employees and areas open to the public;
- ▶ Provide materials that the City distributes for meetings and events where requests for auxiliary aids or services for effective communication might be needed; and
- ▶ Provide materials distributed by the City where ADA questions or concerns may arise.

### **3.1.2 ROLES AND RESPONSIBILITIES OF THE ADA/504 COORDINATOR**

Below is a list of qualifications for ADA Coordinators that the U.S. Department of Justice recommends:

- ▶ Familiarity with the entity's structures, activities, and employees;
- ▶ Knowledge of the ADA and other laws addressing the rights of people with disabilities, such as Section 504 of the Rehabilitation Act;
- ▶ Experience with people with a broad range of disabilities;
- ▶ Knowledge of various alternative formats and alternative technologies that enable individuals with disabilities to communicate, participate, and perform tasks;
- ▶ Ability to work cooperatively with local entities and people with disabilities;
- ▶ Familiarity with any local disability advocacy groups or other disability groups;
- ▶ Skills and training in negotiation and mediation; and
- ▶ Organizational and analytical skills.



The responsibilities of the ADA/504 Coordinator include coordinating the City's efforts to comply with Title II and investigating any complaints related to potential violations of Title II. The role of the ADA Coordinator typically includes being the primary contact when members of the public request an auxiliary aid or service for effective communication, such as a sign language interpreter or documents in Braille. An effective ADA Coordinator can efficiently assist people with disabilities with their questions. These roles and responsibilities are consistent with the Department of Justice's guidance for "An Effective ADA Coordinator" (<https://www.ada.gov/pcatoolkit/chap2toolkit.htm>).

### 3.1.3 ADA GRIEVANCE POLICY, PROCEDURE, AND FORM WITH APPEAL PROCESS FOR THE ADA

Local governments with 50 or more employees must adopt and publish procedures for resolving grievances that may arise under Title II of the ADA promptly and fairly. The ADA grievance procedure aims to provide a mechanism for resolving discrimination issues at the City level rather than requiring the complainant to resort to resolution at the federal level. Neither Title II nor its implementing regulations describe what ADA grievance procedures must include; however, the U.S. Department of Justice suggests the following content:

- ▶ A description of how and where a complaint under Title II may be filed with the government entity;
- ▶ If a written complaint is required, a statement notifying potential complainants that alternative means of filing will be available to people with disabilities who require such an alternative;
- ▶ A description of the time frames and processes to be followed by the complainant and the government entity;
- ▶ Information on how to appeal an adverse decision; and
- ▶ A statement of how long complaint files will be retained.

The City of Winder's ADA grievance policies and procedures were developed in February 2024. Copies of the City's Title II Grievance Procedure and Form are provided in [Appendix C](#). The City of Winder Title II ADA Grievance Policy, Procedure, and Form are posted on the City's website here: <https://www.cityofwinder.com/government/departments/ada-program>.

### 3.1.4 PUBLIC NOTICE UNDER THE ADA

The ADA public notice requirement applies to all state and local governments covered by Title II, including entities with fewer than 50 employees. The target audience for the public notice includes applicants, beneficiaries, and other people interested in the entity's PSAs. This notice is required to include information regarding Title II of the ADA and how it applies to the PSAs of the public entity. Publishing and publicizing the ADA notice is not a one-time requirement. State and local government entities should provide the information continuously, whenever necessary. The Department of Justice suggests including brief statements about:

- ▶ Employment;
- ▶ Effective communication;
- ▶ Making reasonable modifications to policies and programs;



- ▶ Not placing surcharges on modifications or auxiliary aids and services; and
- ▶ Filing complaints.

The notice should also include the name and contact information of the ADA/504 Coordinator. DOJ suggestions for ways to provide notice are provided at:

<https://www.ada.gov/pcatoolkit/chap2toolkit.htm>.

#### Public Notice Under the ADA: Completed Actions

The City of Winder's Public Notice Under the ADA was developed in February 2024. A copy is provided in [Appendix C](#). Publicizing the ADA notice is not a one-time requirement; the City will provide the information on an ongoing basis, whenever necessary. The City of Winder ADA Public Notice is posted on the City's website here:

<https://www.cityofwinder.com/government/departments/ada-program>.

### 3.1.5 ADA LIAISON COMMITTEE

The ADA Liaison Committee is comprised of representatives from each major City department. These individuals work closely with the ADA/504 Coordinator to resolve issues regarding their department's needs and the programs under their management. The ADA/504 Coordinator also works closely with the ADA Liaison Committee to coordinate implementing plans, programs, policies, and procedures.

The City of Winder has established an ADA Liaison Committee comprised of representatives from each major City department. These representatives are tasked with serving as the ADA contact for their department and will consult with the ADA Coordinator regarding all ADA issues impacting their department. Each representative is responsible for keeping a detailed log of all ADA inquiries within their department. This log shall be shared with the ADA Coordinator and retained for at least three (3) years.

To promote awareness of the committee and its activities, the ADA Liaison Committee information can be publicized in common areas that are accessible to employees and areas open to the public. This includes posting this information on the City website.



### 3.2 PROGRAM, SERVICES, AND ACTIVITIES INVENTORY

The City of Winder plans to compile a list of all City programs, services, and activities (PSAs) required to be reviewed for compliance with Title II of the ADA. The City will evaluate the current status and review against the ADA requirements, including eligibility requirements, participation requirements, facilities used, staff training, tours, transportation, communication, notifications, public meetings, the use of contracted services, purchasing, maintenance of accessible features, and emergency procedures.

As the inventory and self-evaluation of these PSAs are completed, updates to the City's Transition Plan will be made to include findings and possible solutions for identified barriers.



### 3.3 FACILITY EVALUATION ACTION PLAN

The Federal Highway Administration (FHWA) has provided guidance on the ADA Transition Plan process in their “INFORMATION: ADA Transition Plans” memo dated June 27, 2019 (see [Appendix D](#)). A copy of the memo is also available on the FHWA website: [https://www.fhwa.dot.gov/civilrights/memos/ada\\_transition\\_plans\\_062719.cfm](https://www.fhwa.dot.gov/civilrights/memos/ada_transition_plans_062719.cfm). While this memo specifically addresses state departments of transportation, FHWA also recommends this guidance for local municipalities until FHWA develops municipality-specific guidance. The memo provides a checklist for elements to be included in an ADA Transition Plan and other ADA requirements that agencies must fulfill.

Items included in the FHWA checklist related to the public rights-of-way are:

- ▶ **Inventory of Barriers** (identification of physical obstacles)
  - Identify intersection information, including curb ramps and other associated accessibility elements.
  - Require an Action Plan to develop an inventory of sidewalks (slopes, obstructions, protruding objects, changes in level, etc.), signals (including accessible pedestrian signals), bus stops (bus pads), buildings, parking, rest areas (tourist areas, picnic areas, visitor centers, etc.), mixed-use trails, linkages to transit.
  - Discuss jurisdictional issues/responsibilities for sidewalks.
- ▶ **Schedule**
  - Show a strong commitment toward upgrading ADA elements identified in the inventory of barriers in the short term (planned capital improvement projects).
  - Show a strong commitment toward prioritizing curb ramps at walkways serving entities covered by the ADA over time.
  - Schedule should include prioritization information, planning, and investments to eliminate other identified barriers over time.
  - Dedicate resources to eliminate identified ADA deficiencies.
- ▶ **Implementation Methods**
  - Describe the methods for making the facilities accessible and include the governing standard (e.g., 2010 ADA Standards, 2023 PROWAG).

The City of Winder plans to evaluate all City-owned and/or maintained facilities for compliance with the 2010 ADA Standards for Accessible Design and 2023 PROWAG.



### 3.4 EXISTING FACILITY INVENTORY

The first step in completing a Self-Evaluation for physical facilities is understanding what facilities the City is responsible for maintaining and where each facility is located. The City completed a facility inventory in 2024, and the results are documented in the following sections.

#### 3.4.1 PARKS

The City of Winder owns and maintains 11 parks. **Table 1** is a list of all City of Winder-owned parks.

**TABLE 1. SUMMARY OF PARKS TO BE REVIEWED**

Location Name	Property Address
1. Jug Tavern Park	139 E Athens St
2. Gazebo Park	59 N Broad St
3. Mayor's Walk Park	W Kimball St
4. City Pond Park	764 City Pond Rd
5. J C Cook Park	201 N Broad St
6. Winder Golf Course	338 Monroe Hwy
7. Pineshore Park	451 N 5th Ave
8. Tavia Mathews Park at Rose Hill	188 Melrose St
9. Veterans Commemorative Park	113-179 E Athens St
10. Wilkins Greenway	41 Lee St
11. White's Mill Park	320 Martin St

All existing parks will be evaluated for compliance with the applicable ADA Standards, including parking lots, the path of travel from the parking lot to the park amenities, access to facilities, signage, drinking fountains, and restrooms. A complete list of park facilities and amenities is provided in [Appendix E](#). Approximately one (1) mile of on-site sidewalk and all associated curb ramps, ramps, stairs, and other paths of travel required to be ADA-compliant will also be evaluated. A map of the City-owned parks is included in [Appendix F](#).

#### 3.4.2 SIGNALIZED INTERSECTIONS

The City of Winder owns and maintains fifteen (15) signalized intersections.

A map of the signalized intersections within the City of Winder is included in [Appendix F](#).

#### 3.4.3 SIDEWALK CORRIDORS

Using aerial imagery, the City developed a GIS-based inventory of City-maintained sidewalk corridors and cross-street locations along these corridors. Based on the inventory, the City of Winder maintains approximately 78 miles of sidewalk corridors, including pedestrian street and driveway crossings. Approximately 249 unsignalized intersections and 366 driveways exist



along the City-maintained sidewalk corridors. Additionally, one (1) location is where a City-maintained sidewalk intersects an existing railroad crossing.

All City-maintained pedestrian paths of travel will be evaluated for compliance with PROWAG based on the conditions and measurements along the pedestrian path of travel, which includes the sidewalk, curb ramps, pedestrian crossings at driveway openings, and pedestrian crossings at unsignalized intersections with cross streets. No evaluations are needed at intersections where existing sidewalks do not cross the curb and curb ramps are not installed. Locations, where curb ramps are missing but are required, will also be identified and included in the Transition Plan.

The ADA of 1990, Section 35.150, Existing Facilities, requires that the Transition Plan include a schedule for providing curb ramps or other sloped areas at existing pedestrian walkways, which applies to all facilities constructed before 1992. For any sidewalk installations constructed from 1992 to March 15, 2012, the curb ramps should have been installed as part of the sidewalk construction project per the 1991 ADA Standards, Section 4.7 Curb Ramp, which states, “curb ramps complying with 4.7 shall be provided wherever an accessible route crosses a curb.” For sidewalk installations constructed on or after March 15, 2012, similar guidance is provided in the 2010 ADA Standards, Section 35.151 of 28 CFR Part 35, New Construction and Alterations, which states, “newly constructed or altered street level pedestrian walkways must contain curb ramps or other sloped areas at any intersection having curbs or other barriers at intersections to streets, roads, or highways.”

A map of the sidewalk corridors to be evaluated is included in [Appendix F](#).

#### 3.4.4 STAND-ALONE PARKING LOTS

The City of Winder maintains 3 stand-alone parking lots in the downtown area. Additionally, the number of visible, accessible parking spaces was summarized. All City-maintained accessible parking will be evaluated for compliance with PROWAG based on the conditions and measurements of the existing accessible parking spaces. A map of the stand-alone parking lots is included in [Appendix F](#). **Table 2** provides a summary of each stand-alone parking lot’s location and the amount of visible, accessible spaces.

**TABLE 2. STAND-ALONE PARKING SUMMARY**

Stand-Alone Parking Lot	Location	Visible Accessible Spaces
Downtown Parking 1	W Athens St and N Broad St	2
Downtown Parking 2	Woodlawn Ave and W Candler St	2
Plaza at Jackson	N Jackson St and E Candler St	3

### 3.4.5 FACILITY INVENTORY SUMMARY

Based on the completed inventory, the City has identified the following facilities for future evaluation:

- ▶ 11 parks;
- ▶ 15 signalized intersections;
- ▶ 78 miles of sidewalk;
- ▶ 249 unsignalized intersections and 366 driveways along the sidewalk corridors;
- ▶ 1 pedestrian railroad crossing along the sidewalk corridors; and
- ▶ 3 stand-alone parking lots



### 3.5 CITY OF WINDER SELF-EVALUATION ACTION PLAN

The second step in completing a Self-Evaluation is developing an Action Plan to evaluate all existing parks, stand-alone parking lots, signalized intersections, sidewalk corridors, unsignalized intersections along the sidewalk corridor path of travel (including cross streets and driveways), and pedestrian rail crossings based on the applicable ADA Standards and the most recent version of PROWAG. This Action Plan should include the identification of evaluation criteria, the development of evaluation methodology and reporting output, and a schedule to complete the evaluations. Best practices for each of these items are detailed in the following sections. Once an Action Plan has been developed, the existing facility Self-Evaluations should be started.

#### ***Evaluation Criteria***

For each facility type, the following elements should be evaluated for consistency with applicable ADA Standards, PROWAG, and the 2009 MUTCD, where incorporated into PROWAG by reference.

#### ***Evaluation Methodology***

Several technologies are currently available to aid in the data collection process. At a minimum, it is recommended that the equipment used to collect the data be capable of the following:

- ▶ Measuring slopes to the nearest tenth of a percent;
- ▶ Measuring sidewalk, curb ramp, and crosswalk dimensions to the nearest inch;
- ▶ Measuring cross street widths, driveway widths, and sidewalk segment lengths to the nearest foot;
- ▶ Isolating the measurements for each element listed in the applicable ADA Standards, PROWAG, and the 2009 MUTCD; and
- ▶ Providing output in GIS shapefile-compatible format with geospatially referenced photos of evaluated elements.





## ***Reporting Capabilities***

When selecting a technology to aid data collection, the City should consider whether a reporting system has been developed to process the raw data. For the data to be readily usable by the City for developing their Citywide ADA Transition Plan, the reporting system should provide the following output:

- ▶ Compliance status of each element evaluated based on the 2010 ADA Standards and PROWAG;
- ▶ Recommended improvements to remove any barriers and bring the element into compliance;
- ▶ Estimated cost of recommended improvements; and
- ▶ Prioritization of the individual facility, independent of other locations of the same facility type.

The City should also establish a working database that will allow staff to track and monitor progress as projects are implemented and barriers are removed. The database should also allow staff to report progress by facility type periodically, which could be used in support of any mobility-related performance metrics.

The progress monitoring database should incorporate existing City programs currently in place to implement ADA improvements, including:

- ▶ Bringing required elements into ADA compliance during road reconstructions and widenings;
- ▶ Bringing required elements into ADA compliance as new developments are constructed;
- ▶ Reviewing design plans for all new facilities to ensure ADA-required elements are included and designed to meet the ADA standards; and
- ▶ Inspecting all new construction to ensure facilities were built per the design plans.

There is not a one-size-fits-all solution to progress monitoring, and the City should collaborate citywide to understand what existing City project information needs to be integrated with the ADA Self-Evaluation reporting data or vice versa to make progress monitoring usable by City staff in maintaining the City's ADA Transition Plan.

## ***Phased Self-Evaluation Approach***

The DOJ set January 26, 1992, as the deadline to complete a citywide ADA Transition Plan, including the Self-Evaluations. Therefore, the Self-Evaluation of existing facilities should be completed as soon as practical. The DOJ has no requirements or guidelines on prioritizing which facilities should be evaluated first if the City plans to phase the data collection over time. Ultimately, all facilities must be evaluated for an agency's Citywide ADA Transition Plan to be complete.

However, minimizing the risk of litigation and risk for pedestrians should be the goal when determining the order in which to evaluate facilities. Several factors can increase risk at a location, including:

- ▶ **Number of existing complaints** – Locations with complaints identified by the public as problem areas should be evaluated as soon as possible to determine whether the complaints are valid.



- ▶ **Proximity to pedestrian attractors** – Locations near pedestrian attractors (e.g., hospitals, retirement facilities, medical offices, parking garages, major employers, disability service providers, event facilities, bus or transit stops/routes, schools, government and public facilities, parks, libraries, and churches) are more likely to have a higher risk compared to those without pedestrian attractors.
- ▶ **Proximity to residential areas** – Locations near residential areas are more likely to have a higher risk than those adjacent to industrial areas, where pedestrians are less likely to travel.
- ▶ **Number of crashes** – Locations with pedestrian-related crashes should be evaluated to determine if there is a design reason for the crashes.
- ▶ **Age of facility** – Facilities constructed after July 26, 1991 are a higher risk than those constructed before the 1991 ADA Standards were published since they were constructed out of compliance.
- ▶ **Roadway functional classification** – Arterials typically have higher pedestrian activity than local roadways and may be a higher risk.
- ▶ **Pedestrian/vehicle volumes** – Higher pedestrian/vehicle volume roadways are more likely to have higher risk than lower volume pedestrian/vehicle roadways. Pedestrian volumes may be quantified using indicators such as the number of pedestrian actuations at signalized intersections.
- ▶ **Existing sidewalks** – The ADA does not require sidewalks to be installed, but existing sidewalks must be compliant, and the accessible route must be maintained in an accessible condition. Locations with existing sidewalks are a higher risk than locations without existing sidewalks.
- ▶ **Public input** – It is recommended that the public be consulted and feedback be considered to better understand their concerns. While formal complaints may not have been filed, areas of concern to the public are more likely to be at a higher risk for litigation if an issue exists and the City does not respond and/or does not make improvements.

Other factors to consider include:

- ▶ **Spatial distribution of facilities** – Selecting facilities to be evaluated evenly across different areas of the City or Council districts might be more well-received by the public, assuming all the risk factors above are equal.
- ▶ **Facility type** – Selecting various facilities to be evaluated during each phase, instead of all of a single facility type, may provide a better understanding of your high-risk areas. If the sidewalks evaluated are determined to be mostly compliant and the curb ramps evaluated are determined to be mostly non-compliant, the City may want to consider including a higher percentage of curb ramps during the next phase of evaluations.
- ▶ **Upcoming Capital Improvement Projects (CIP)** – If curb ramps will be completely removed and replaced as part of an upcoming project, the ADA compliance of the new construction should be confirmed during construction inspections, and resources would be better spent evaluating curb ramps that are not planned for reconstruction.

The final step is to execute the Self-Evaluation Action Plan. The Action Plan may be modified during and between the Self-Evaluation and Transition Plan phases to account for lessons learned or budget changes.



### 3.6 SCHEDULE AND IMPLEMENTATION METHODS

It is acceptable for the City to phase the Self-Evaluation over several fiscal years; however, the DOJ and FHWA will not consider the initiative complete until all evaluations have been completed. The City should determine and document in the Transition Plan the anticipated number of years required to complete the Self-Evaluation of City programs, services, activities, and facilities identified in [Section 3.2 Program, Services, and Activities Inventory](#) and [Section 3.4 Existing Facility Inventory](#).

After the Self-Evaluation is complete, possible solutions have been identified, and cost estimates have been determined for each improvement, an implementation plan can be developed. Depending on the estimated cost of improvements, a typical implementation plan for an entity the size of the City of Winder can range from 10 to 15 years. The implementation plan needs to show both a strong commitment toward upgrading ADA elements identified in the inventory of barriers in the short-term (planned capital improvement projects) and a strong commitment over time toward prioritizing curb ramps at walkways serving entities covered by the ADA. The implementation plan should also include prioritization information, planning, and investments to eliminate other identified barriers over time.



### 3.7 PRIORITIZATION

To aid in developing the implementation plan, prioritization information should be provided for each facility with identified compliance issues. **Table 3**, **Table 4**, and **Table 5** provide proposed prioritization criteria for parks/buildings, intersections (signalized and unsignalized), sidewalk corridors, and railroad crossings. All compliance elements included in the prioritization schedule are based on ADA Standards and PROWAG requirements. A prioritization schedule has not been provided for stand-alone parking lots since parking accessibility issues are generally considered a high priority. While every effort will be made to design and implement improvements consistent with the ADA Standards and PROWAG, the City will provide access to the maximum extent feasible where full compliance is technically infeasible. The priorities were assigned based on DOJ priorities for facility access, previous project experience, and case law with respect to the severity of non-compliance. FHWA and DOJ have not provided any guidance on how to prioritize issues; only that prioritization information should be included as part of the schedule; however, best practices suggest that the prioritization methodology and resulting thresholds be first based on the severity of non-compliance (i.e., dangerous condition) and then second based on the barrier's proximity to pedestrian attractors (e.g., adjacent to a hospital or governmental facility with high daily pedestrian traffic). Since raw data is recommended to be collected during the Self-Evaluation, all data needed for prioritization should already be contained in the database, with the exception of known complaints and proximity to pedestrian attractors. To streamline the prioritization of each facility, the proximity to pedestrian attractors should be collected when the elements contained within the applicable ADA Standards and PROWAG are evaluated.

Sidewalk corridors include the entire pedestrian path of travel, including sidewalks, cross streets, and driveways. When prioritizing a sidewalk corridor, priorities for the entire pedestrian path of travel should be reported together. However, for project design and costing purposes, the recommended improvements for cross streets are more appropriately reported with the rest of the intersection improvements.



It should also be noted that the ADA does not require sidewalks, but if installed, they must be compliant. Therefore, missing sidewalk segments are given a low priority.

To determine each facility's priority, raw compliance data should be compared to the criteria in Tables 3, 4, and 5. To do this, start at Priority 1 and determine if any criteria apply. If yes, assign the facility a priority of 1. If no, move to Priority 2 and determine if any criteria apply. This process should be repeated until a priority has been assigned to all evaluated facilities.

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### 3.7.1 PRIORITIZATION FACTORS FOR FACILITIES

Parks and buildings are prioritized on a 12-point scale defined in **Table 3**. The Consultant Team developed this Prioritization Methodology to aid the City in determining how to prioritize facilities for improvements based on the severity of non-compliance with the ADA.

Unsignalized intersections are prioritized on a 13-point scale defined in **Table 4**. The Consultant Team developed this prioritization methodology to aid the City in determining which unsignalized intersections should be prioritized for improvements over other unsignalized intersections based on the severity of non-compliance with ADA.

Sidewalk corridors are prioritized on a 3-point scale and given a priority of “High,” “Medium,” or “Low” based on the severity of non-compliance, which is defined in Table 5. Compliant segments of the sidewalk corridor are given a priority label of “Compliant.”

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**TABLE 3. PRIORITIZATION FACTORS FOR PARKS/BUILDINGS**

Priority	Criteria
<b>1 (high)</b>	Complaint known or safety concern
<b>2 (high)</b>	<ul style="list-style-type: none"> <li>▶ Element is more than twice the allowable requirement. No known complaint.</li> <li>▶ AND (for exterior conditions) location is near a hospital, school, transit stop, government building, or other pedestrian attractor.</li> </ul>
<b>3 (high)</b>	Element is more than twice the allowable requirement. No known complaint. AND (for exterior conditions) location is not near a hospital, school, transit stop, government building, or other pedestrian attractor.
<b>4 (high)</b>	Issues with parking or exterior conditions (DOJ level 1) – moderately out of compliance
<b>5 (medium)</b>	Issues with access to goods and services (DOJ level 2) – severely out of compliance
<b>6 (medium)</b>	Issues with: <ul style="list-style-type: none"> <li>▶ Access to goods and services (DOJ level 2) – moderately out of compliance;</li> <li>▶ Parking or exterior conditions (DOJ level 1) – minimally out of compliance; OR</li> <li>▶ Restrooms (DOJ level 3) – severely out of compliance</li> </ul>
<b>7 (medium)</b>	Issues with: <ul style="list-style-type: none"> <li>▶ Access to goods and services (DOJ level 2) – minimally out of compliance;</li> <li>▶ Restrooms (DOJ level 3) – moderately out of compliance; OR</li> <li>▶ Drinking fountains or public phones (DOJ level 4 &amp; 5) – severely out of compliance</li> </ul>
<b>8 (medium)</b>	Issues with drinking fountains or public phones (DOJ level 4 & 5) - moderately out of compliance
<b>9 (low)</b>	Issues with restrooms (DOJ level 3) – minimally out of compliance
<b>10 (low)</b>	Issues with drinking fountains or public phones (DOJ level 4 & 5) - minimally out of compliance
<b>11 (low)</b>	<ul style="list-style-type: none"> <li>▶ Client is a Title II agency; AND</li> <li>▶ Elements out of compliance, but may be able to be handled programmatically or do not need to be handled unless or until the agency hires a person with a disability</li> </ul>
<b>12 (low)</b>	Element is fully compliant with an older standard (safe-harbored), but will need to be brought into compliance with current standards if altered



**TABLE 4. PRIORITIZATION FACTORS FOR SIGNALIZED AND UNSIGNALIZED INTERSECTIONS**

<b>Priority</b>	<b>Criteria</b>
<b>1 (high)</b>	Complaint filed on curb ramp or intersection
<b>2 (high)</b>	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> <li>▶ Running slope &gt; 12%</li> <li>▶ Cross slope &gt; 7%</li> <li>▶ Obstruction to or in the curb ramp or landing</li> <li>▶ Level change &gt; ¼ inch at the bottom of the curb ramp</li> <li>▶ No detectable warnings</li> </ul> AND within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
<b>3 (high)</b>	<ul style="list-style-type: none"> <li>▶ No curb ramp where a sidewalk or pedestrian path exists</li> </ul> AND within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
<b>4 (high)</b>	No curb ramps, but striped crosswalk exists
<b>5 (medium)</b>	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> <li>▶ Running slope &gt; 12%</li> <li>▶ Cross slope &gt; 7%</li> <li>▶ Obstruction to or in the curb ramp or landing</li> <li>▶ Level change &gt; ¼ inch at the bottom of the curb ramp</li> <li>▶ No detectable warnings</li> </ul> AND NOT within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
<b>6 (medium)</b>	<ul style="list-style-type: none"> <li>▶ No curb ramp where a sidewalk or pedestrian path exists</li> </ul> AND NOT within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
<b>7 (medium)</b>	Existing diagonal curb ramp (serving both crossing directions on the corner) is non-compliant and should be replaced with two curb ramps, one serving each crossing direction on the corner.
<b>8 (medium)</b>	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> <li>▶ Cross slope &gt; 5%</li> <li>▶ Width &lt; 36 inches</li> <li>▶ Median/island crossings that are inaccessible</li> </ul>
<b>9 (low)</b>	Existing curb ramp with either running slope between 8.3% and 11.9% or insufficient turning space
<b>10 (low)</b>	Existing diagonal curb ramp without a 48-inch extension into the crosswalk
<b>11 (low)</b>	Existing pedestrian push button is not accessible from the sidewalk and/or curb ramp
<b>12 (low)</b>	Existing curb ramp with returned curbs where pedestrian travel across the curb is not protected
<b>13 (low)</b>	All other intersections not prioritized above



**TABLE 5. PRIORITIZATION FACTORS FOR SIDEWALK CORRIDORS**

Criteria	Priority		
	1 (high)	2 (medium)	3 (low)
<b>Cross slope of sidewalk is greater than 2%</b>	Value > 3.5%	3.5% ≥ Value > 2.0%	
<b>Width of sidewalk is less than 48 inches</b>	Value ≤ 36.0"	36.0" < Value < 42.0"	42.0" < Value < 48.0"
<b>Obstruction present along sidewalk</b>	Obstruction - Permanent	Obstruction - Temporary	
<b>Heaving, sinking, or cracking present on sidewalk</b>	Heaving Sinking Cracking		
<b>Ponding on sidewalk</b>		Ponding	
<b>Missing sidewalk</b>			Missing Sidewalk
<b>Signalized cross street cross slope is greater than 5%</b>	Value > 9.0%	9.0% ≥ Value ≥ 7.0%	7.0% > Value > 5.0%
<b>Unsignalized cross street cross slope is greater than 2%</b>	Value > 6.0%	6.0% ≥ Value ≥ 4.0%	4.0% > Value > 2.0%
<b>Cross street running slope is greater than 5%</b>	Value > 7.0%	7.0% ≥ Value ≥ 6.0%	6.0% > Value > 5.0%
<b>Driveway sidewalk width is less than 48 inches</b>	Value ≤ 36.0"	36.0" < Value < 42.0"	42.0" < Value < 48.0"
<b>Driveway (or sidewalk if applicable) cross slope is greater than 2%</b>	Value > 6.0%	6.0% ≥ Value ≥ 4.0%	4.0% > Value > 2.0%
<b>Driveway (or sidewalk if applicable) condition is poor or a safety concern</b>	Elevation change greater than 1/2 inch or gaps greater than 1 inch	Elevation change between 1/4 inch and 1/2 inch or gaps between 1/2 inch and 1 inch	
<b>Railroad crossing excessive sidewalk vertical discontinuity</b>	Elevation change greater than 1/4 inch or gaps greater than 1 inch)		
<b>Railroad crossing prefabricated plate is plastic or does not exist</b>	Yes – Plastic or No		
<b>Railroad crossing flangeway gap &gt; 3 inches (freight) or flangeway gap &gt; 2.5 inches (non-fright)</b>	Value > 3.0" (freight) or 2.5" (non-freight)		
<b>Railroad crossing is missing detectable warning surface(s)</b>	No – Neither Side or Yes – 1 Side Only		



### 3.8 ACTION LOG

As the facility and PSA evaluations are completed, the City will institute an ADA Action Log to confirm follow-up on corrective actions required under the Transition Plan and document City efforts at compliance with the ADA. At a minimum, the Action Log will identify items that are not ADA-compliant and include anticipated completion dates. The ADA Action Log will be updated annually and should be available to the public upon request. See the ADA Action Log provided in [Appendix G](#).

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## 4.0 FUNDING OPPORTUNITIES

Several alternative funding sources are available to the City to complete the improvements in this Transition Plan. The funding opportunities include applying for federal and state resources, considering local options, and leveraging private resources. The following sections detail some different funding source options.



### 4.1 FEDERAL AND STATE FUNDING

Federal and state funding is available for the City to apply for through numerous agencies for various improvements. A copy of this information is also available on the FHWA website:

[https://www.fhwa.dot.gov/environment/bicycle\\_pedestrian/funding/](https://www.fhwa.dot.gov/environment/bicycle_pedestrian/funding/)

Most of these programs are competitive-type grants; therefore, the City of Winder is not guaranteed to receive these funds. It will be important for the City to track these programs to apply for the funds. Federal-aid funding programs have specific requirements that projects must meet, and eligibility must be determined case-by-case.



### 4.2 LOCAL FUNDING

There are several local funding options for the City to consider, including:

- ▶ Community Development Block Grants (CDBG)
- ▶ General fund (sales tax and bond issue)
- ▶ Scheduled/funded CIP projects
- ▶ Special-purpose local-option sales tax (SPLOST)
- ▶ Transportation special-purpose local-option sales tax (TSPLOST)



### 4.3 PRIVATE FUNDING

Private funding may include local and national foundations, endowments, private development, and private individuals. While obtaining private funding to provide improvements along entire corridors might be difficult, the City needs to require private developers to improve pedestrian facilities to current ADA requirements, whether by new development or redevelopment of an existing property.



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## 5.0 CONCLUSION AND NEXT STEPS

This document is the Americans with Disabilities Act (ADA) Transition Plan for the City of Winder. The City intends to complete the Self-Evaluation of programs, services, activities, and facilities identified in this document over the next several years. An annual funding amount will be determined in Phase II, beginning in fiscal year 2025. The City will try to increase the annual Self-Evaluation budget in future years to shorten the anticipated completion schedule.

The next steps for the City of Winder are:

1. Develop an Action Plan for completing a Self-Evaluation for all City programs, services, activities, and facilities. The next Transition Plan phase is anticipated to begin in fiscal year 2025 to begin evaluation of the pedestrian facilities described in [Section 3.4](#). This project will be funded using a budget identified within the City's Public Works Department.
2. Complete an inventory and Self-Evaluation for all City programs, services, and activities.
3. Complete a compliance evaluation for all City facilities. Facility evaluations should include the following:
  - A. Facility reports with the compliance status of each element evaluated based on the applicable ADA Standards and PROWAG;
  - B. Possible solutions to remove any barriers and bring the element into compliance;
  - C. Estimated costs of possible solutions; and
  - D. Prioritization of the individual facility, independent of other locations of the same facility type.
4. Develop an Implementation Plan, including a schedule for completing the recommended facility improvements and funding sources to be used.
5. If a phased Self-Evaluation approach is used, complete the remaining Self-Evaluation phases and update the City's ADA Transition Plan after each additional phase.
6. Continue to update the City's ADA Transition Plan as projects are implemented and citizen requests/complaints are received.



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**APPENDIX**

**APPENDIX A: CITY SIDEWALK GRINDING PROGRAM SUMMARY**

**APPENDIX B: PUBLIC OUTREACH**

**APPENDIX C: GRIEVANCE PROCEDURE AND PUBLIC NOTICE**

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**CITY OF WINDER TITLE II GRIEVANCE PROCEDURE**

**CITY OF WINDER TITLE II GRIEVANCE FORM**

**PUBLIC NOTICE UNDER THE ADA**

**APPENDIX D: FEDERAL HIGHWAY ADMINISTRATION ADA TRANSITION  
PLANS PROCESS MEMO**

**APPENDIX E: PARKS AMENITY INVENTORY**

**APPENDIX F: FACILITY INVENTORY MAPS**

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**PARKS**

**SIGNALIZED INTERSECTIONS**

**SIDEWALK CORRIDORS**

**STAND-ALONE PARKING LOTS**

**APPENDIX G: ADA ACTION LOG**



# APPENDIX A: CITY SIDEWALK GRINDING PROGRAM SUMMARY

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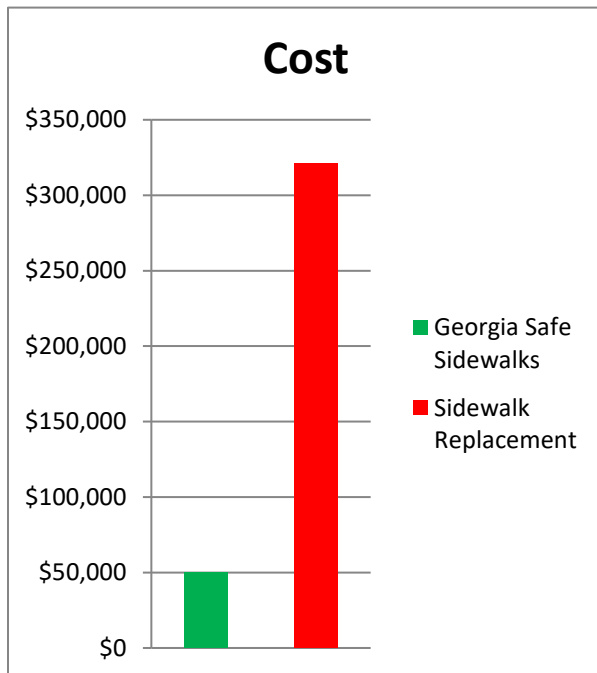
## History

City of Winder continues to use Georgia Safe Sidewalks as a component of its sidewalk maintenance program. These projects focus on the repair of uneven walkways to remove potential trip & fall hazards improving pedestrian safety and compliance with The Americans with Disabilities Act. A summary of these projects follows:

Project Date	Project Price	# of Hazards Removed	Cost/Hazard	Estimated Savings
January, 2018	\$2,804	59	\$47.52	\$12,200
December, 2019	\$6,465	159	\$40.66	\$39,600
July, 2020	\$620	7	\$88.57	\$1,700
June, 2021	\$17,135	310	\$55.27	\$61,000
March, 2022	\$3,510	34	\$103.23	\$41,200
December, 2022	\$19,640	192	\$102.29	\$50,200
	\$50,174	761	\$65.93	\$205,900

Our estimated savings are based upon the fact that the use of Georgia Safe Sidewalks prevented the replacement of approximately 18,900 square feet of sidewalk. At a common replacement cost of \$17 per square foot we estimate that it could have cost as much as \$321,300 to remove these trip hazards by demolition & replacement. Our cost estimates include aspects of sidewalk replacement such as:

- ✚ Cost of concrete.
- ✚ Labor to break up and remove existing concrete.
- ✚ Labor to form, level, pour, finish, float & cut control joints.
- ✚ Fuel for multiple site visits by multiple pieces of equipment to demolish old sidewalk, prepare for new, pour and finish new sidewalk, and any follow repairs that are required.
- ✚ Equipment costs for machines such as a backhoe, trucks, cutting equipment, concrete mixers, compressors, etc.
- ✚ Miscellaneous materials and tools used in demolition, preparation and finishing.



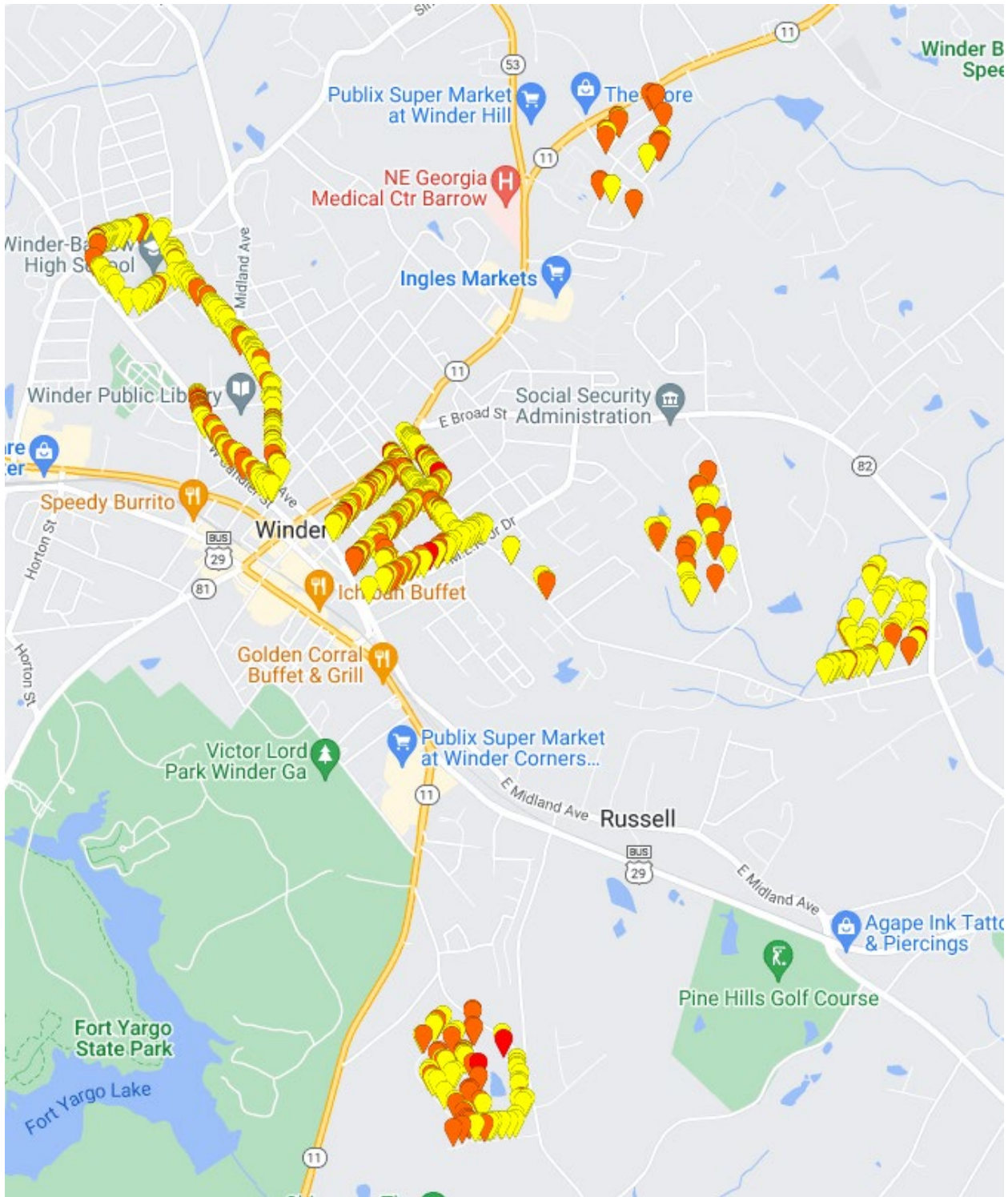
Georgia Safe Sidewalks believes that you have taken an excellent step toward ADA compliance and improving pedestrian safety in the most economical and professional way possible. Our experience has found that the only way to keep up with sidewalk maintenance is to continue with a regular, annual inspection and repair program.

We look forward to helping with any future needs as you develop your ADA compliant sidewalk maintenance program.

Sincerely,

*Todd Fulk*

**Georgia Safe Sidewalks**  
[todd@gasafesidewalks.com](mailto:todd@gasafesidewalks.com)  
 770-722-2534



P.O. Box 492174, Lawrenceville, GA 30049 : Mobile 770-722-2534  
Email: Todd@GaSafeSidewalks.com | Website: www.GaSafeSidewalks.com



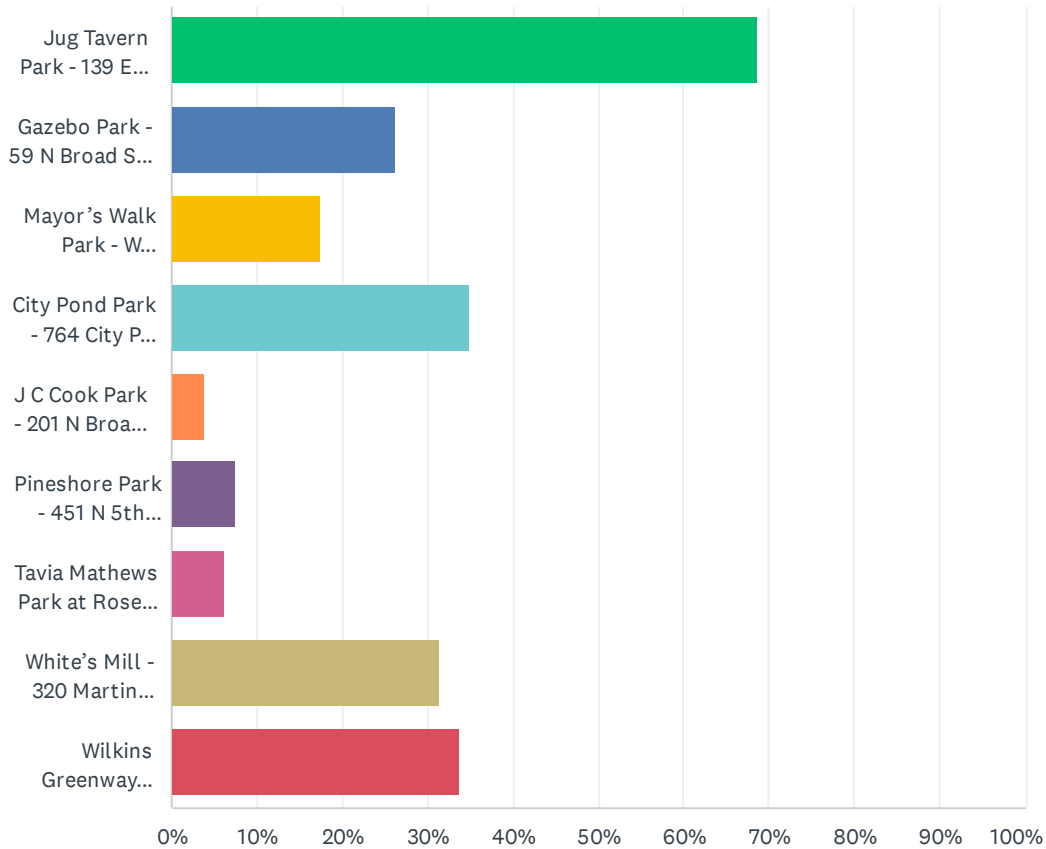


## APPENDIX B: PUBLIC OUTREACH

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# Q1 Which of these City of Winder parks or trails do you visit regularly? (Choose all that apply.)

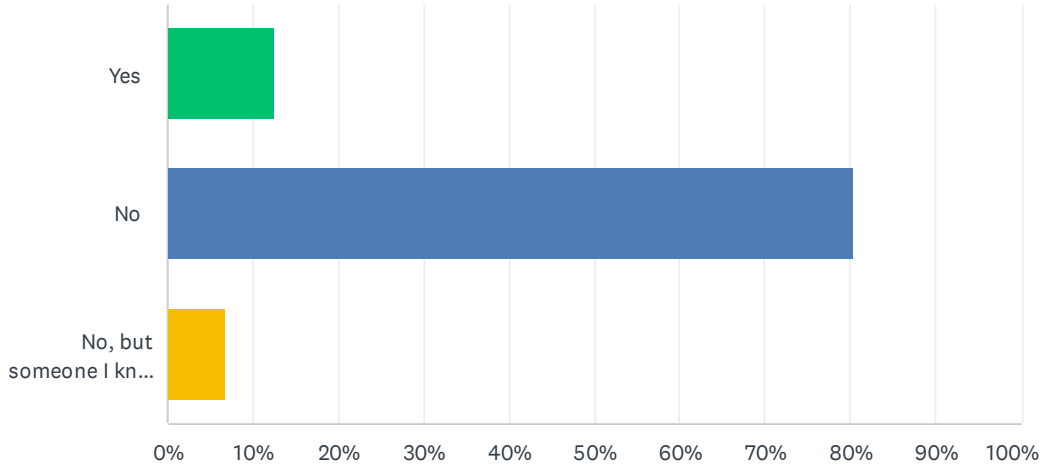
Answered: 80 Skipped: 16



ANSWER CHOICES	RESPONSES	
Jug Tavern Park - 139 E Athens St, Winder, GA 30680	68.75%	55
Gazebo Park - 59 N Broad St, Winder, GA 30680	26.25%	21
Mayor's Walk Park - W Kimball St, Winder, GA 30680	17.50%	14
City Pond Park - 764 City Pond Rd, Winder, GA 30680	35.00%	28
J C Cook Park - 201 N Broad St, Winder, GA 30680	3.75%	3
Pineshore Park - 451 N 5th Ave, Winder, GA 30680	7.50%	6
Tavia Mathews Park at Rose Hill - 188 Melrose St, Winder, GA 30680	6.25%	5
White's Mill - 320 Martin Drive, Winder, GA 30680	31.25%	25
Wilkins Greenway Trailhead - 25 East Midland Avenue, Winder, GA 30680	33.75%	27
Total Respondents: 80		

Q2 Thinking only about City-owned, public properties in City of Winder, have you experienced any physical barriers or obstructions in a public park or along a public trail you currently use or would like to use?

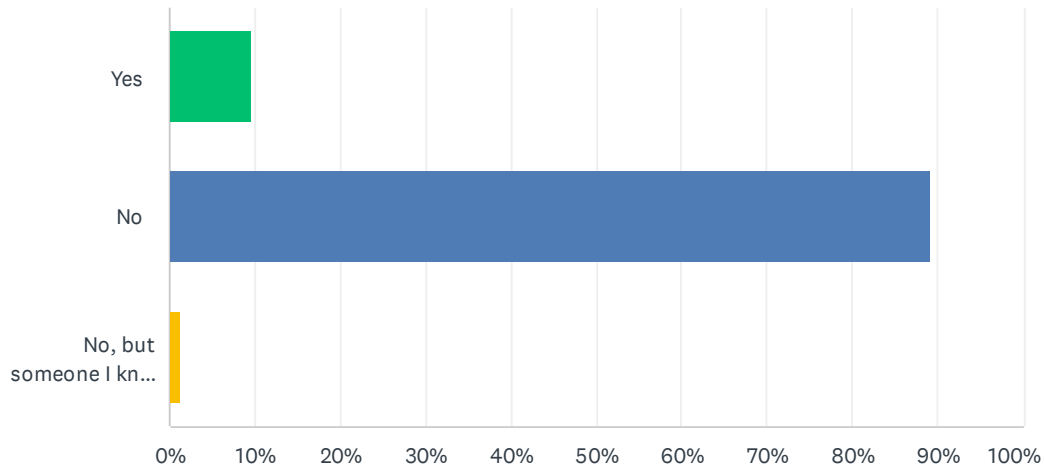
Answered: 87 Skipped: 9



ANSWER CHOICES	RESPONSES	
Yes	12.64%	11
No	80.46%	70
No, but someone I know has.	6.90%	6
<b>TOTAL</b>		<b>87</b>

### Q3 Have you encountered any physical barriers or obstructions within a City of Winder park or along a trail that prevented you from using or participating in a City program, service or activity?

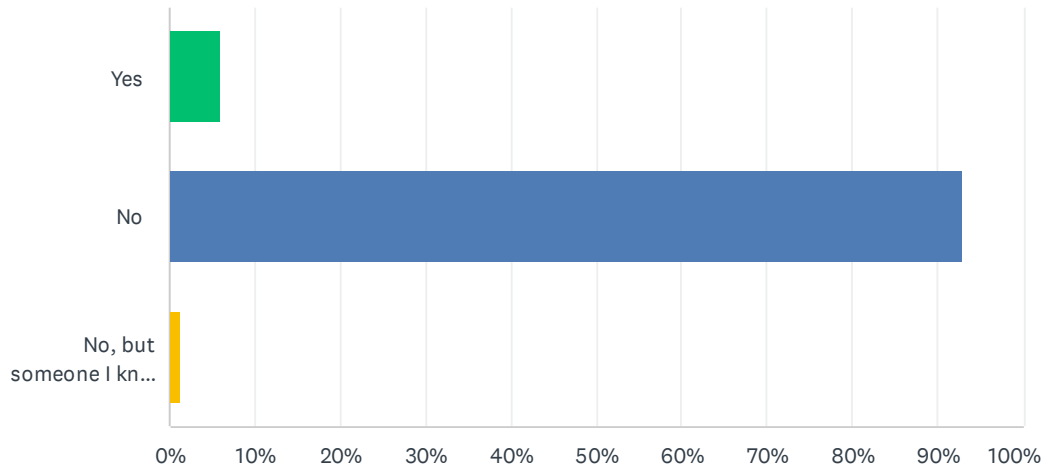
Answered: 83 Skipped: 13



ANSWER CHOICES	RESPONSES	
Yes	9.64%	8
No	89.16%	74
No, but someone I know has.	1.20%	1
<b>TOTAL</b>		<b>83</b>

### Q4 Have you encountered any communication barriers in a City of Winder park or along a trail that kept you from using or participating in a program, service, or activity?

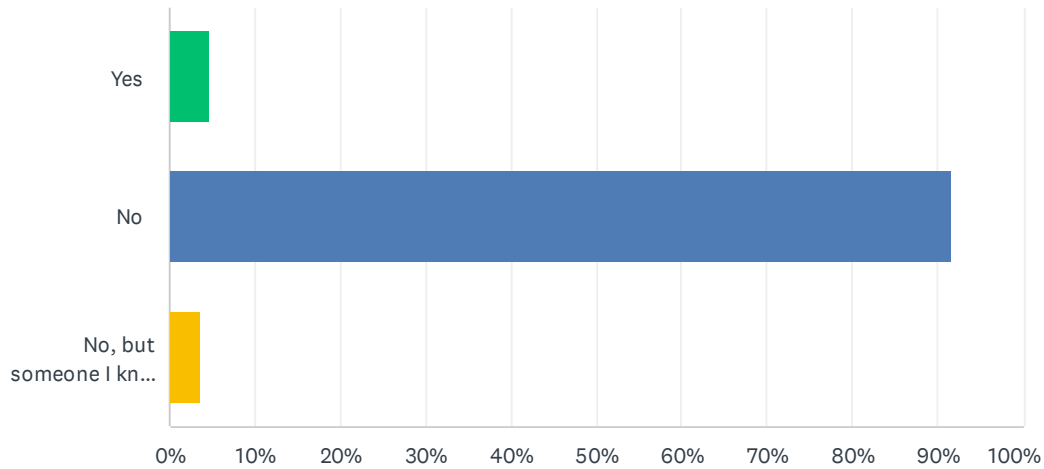
Answered: 85 Skipped: 11



ANSWER CHOICES	RESPONSES	
Yes	5.88%	5
No	92.94%	79
No, but someone I know has.	1.18%	1
<b>TOTAL</b>		<b>85</b>

## Q5 Have you encountered any other accessibility-related challenges/concerns related to City of Winder parks or trails not covered by the questions above?

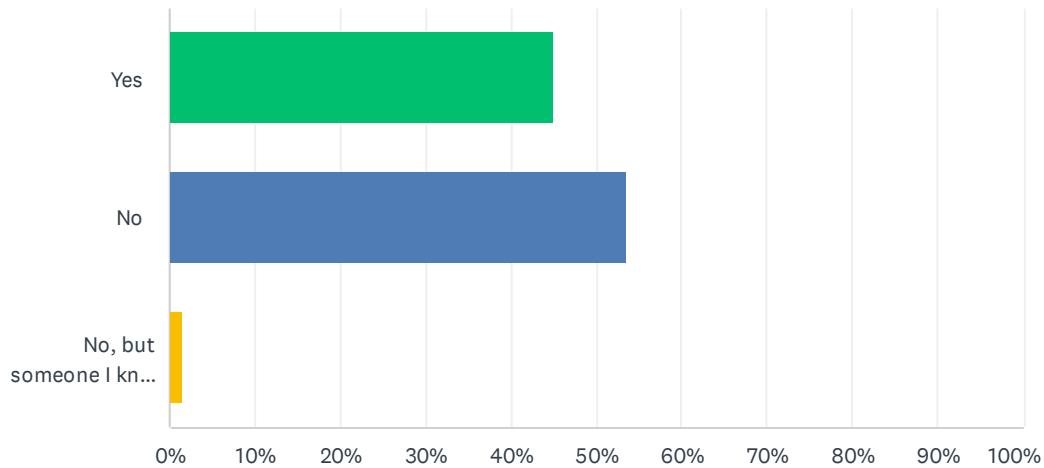
Answered: 85 Skipped: 11



ANSWER CHOICES	RESPONSES	
Yes	4.71%	4
No	91.76%	78
No, but someone I know has.	3.53%	3
TOTAL		85

Q6 Thinking only about City-owned, public rights-of-way in City of Winder, have you experienced any physical barriers, inaccessible sections, or poor conditions along a pedestrian path (e.g., sidewalks, pedestrian street crossings, pedestrian driveway crossings, curb ramps, public stand-alone parking lots, etc.) you currently use or would like to use?

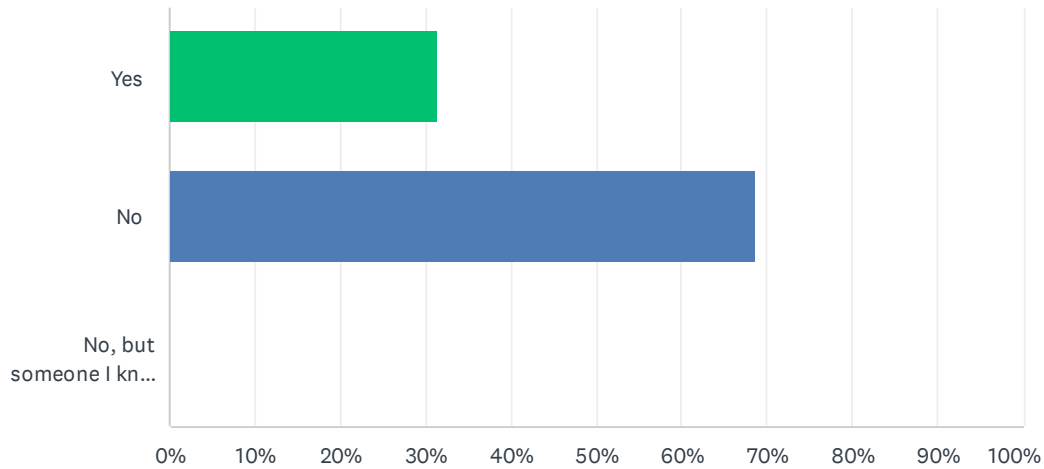
Answered: 69 Skipped: 27



ANSWER CHOICES	RESPONSES	
Yes	44.93%	31
No	53.62%	37
No, but someone I know has.	1.45%	1
TOTAL		69

### Q7 When using sidewalks along the public rights-of-way within the City of Winder, have you encountered locations without curb ramps as you enter or exit a street or driveway crossing?

Answered: 67 Skipped: 29

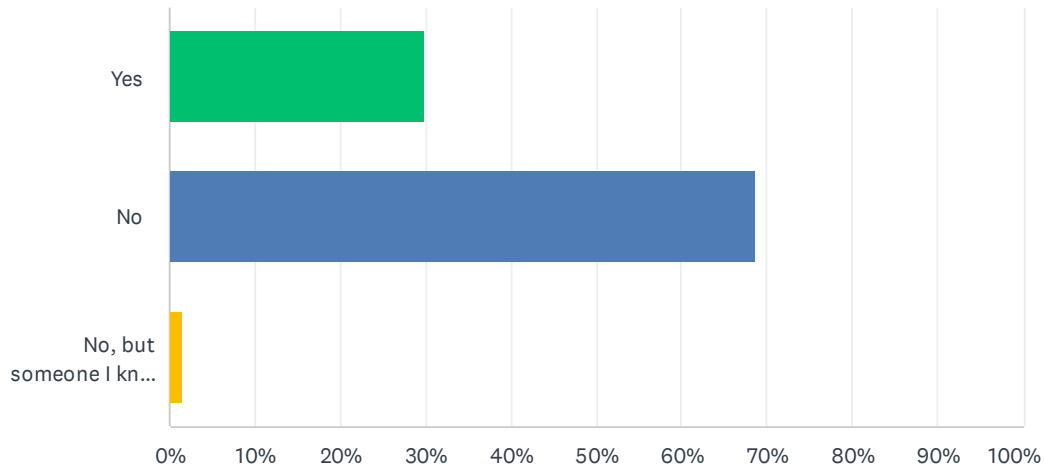


ANSWER CHOICES	RESPONSES	
Yes	31.34%	21
No	68.66%	46
No, but someone I know has.	0.00%	0
<b>TOTAL</b>		<b>67</b>



### Q8 Have you encountered difficulties crossing a street near a City of Winder building or park due to lack of pedestrian push buttons and pedestrian signals?

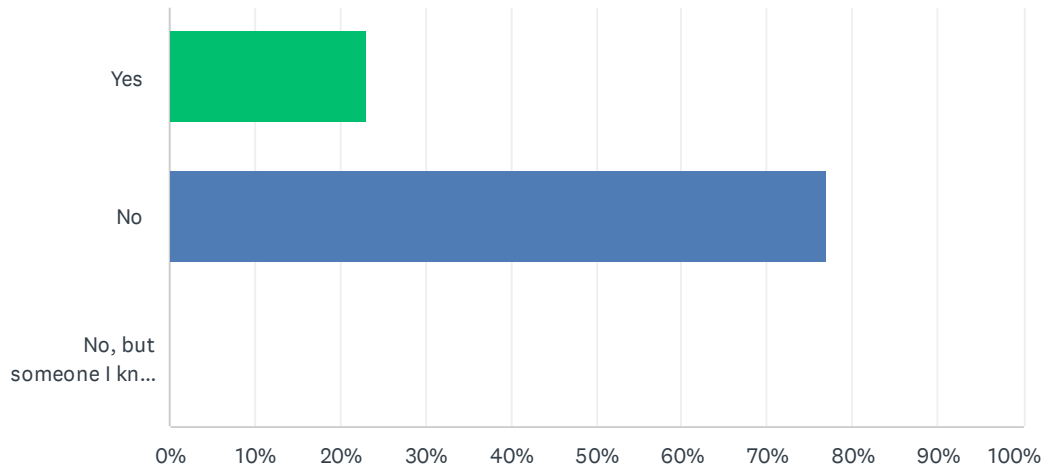
Answered: 67 Skipped: 29



ANSWER CHOICES	RESPONSES	
Yes	29.85%	20
No	68.66%	46
No, but someone I know has.	1.49%	1
<b>TOTAL</b>		<b>67</b>

### Q9 Have you encountered any other accessibility-related challenges/concerns related to the public rights-of-way within the City of Winder not covered by the questions above?

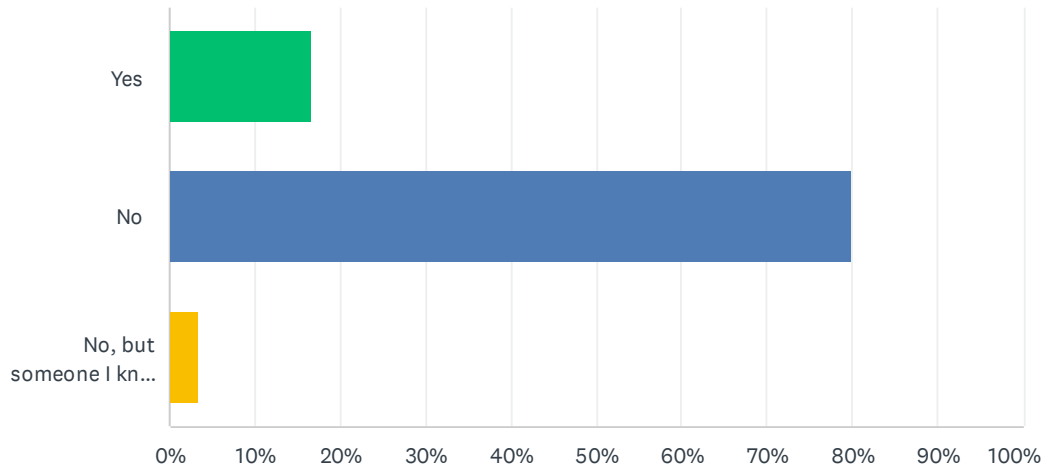
Answered: 65 Skipped: 31



ANSWER CHOICES	RESPONSES	
Yes	23.08%	15
No	76.92%	50
No, but someone I know has.	0.00%	0
<b>TOTAL</b>		<b>65</b>

### Q10 Are there programs, services or activities sponsored by the City of Winder that you would like to participate in or use but have been unable to?

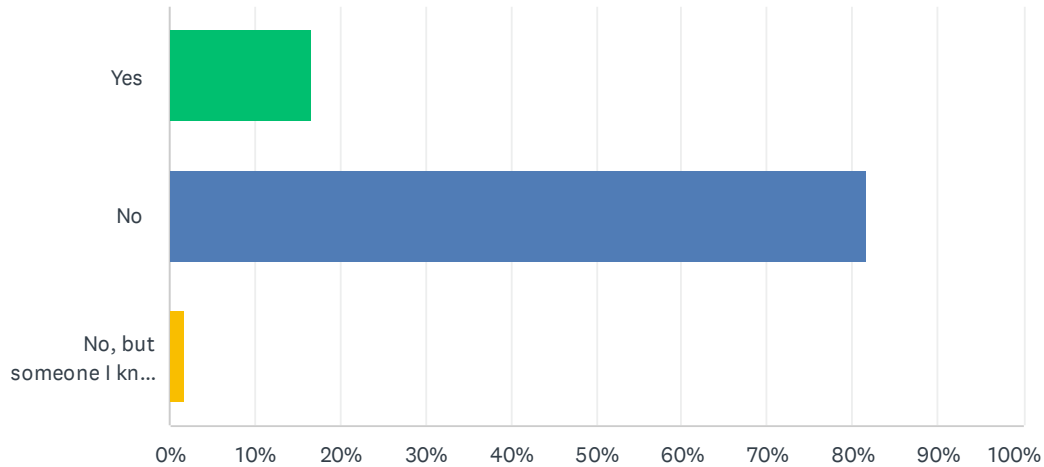
Answered: 60 Skipped: 36



ANSWER CHOICES	RESPONSES	
Yes	16.67%	10
No	80.00%	48
No, but someone I know has.	3.33%	2
<b>TOTAL</b>		<b>60</b>

### Q11 Are there programs, services or activities sponsored by the City of Winder that you have tried to participate in or use but were unable to?

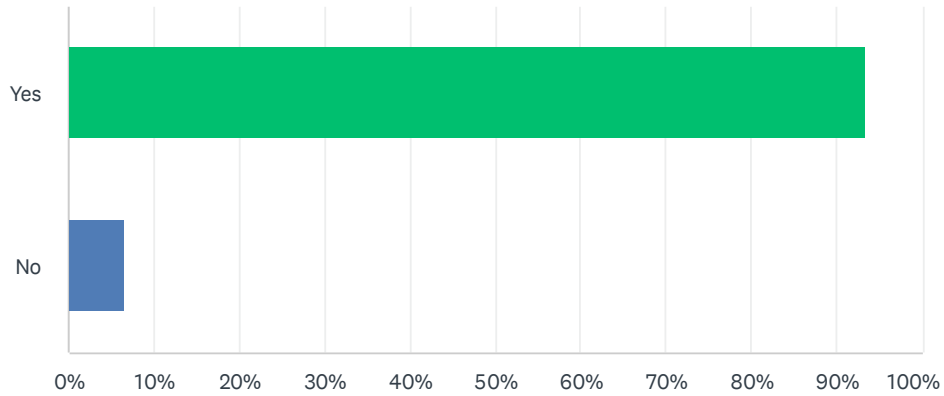
Answered: 60 Skipped: 36



ANSWER CHOICES	RESPONSES	
Yes	16.67%	10
No	81.67%	49
No, but someone I know has.	1.67%	1
<b>TOTAL</b>		<b>60</b>

## Q12 Are you able to obtain available information from the City of Winder website?

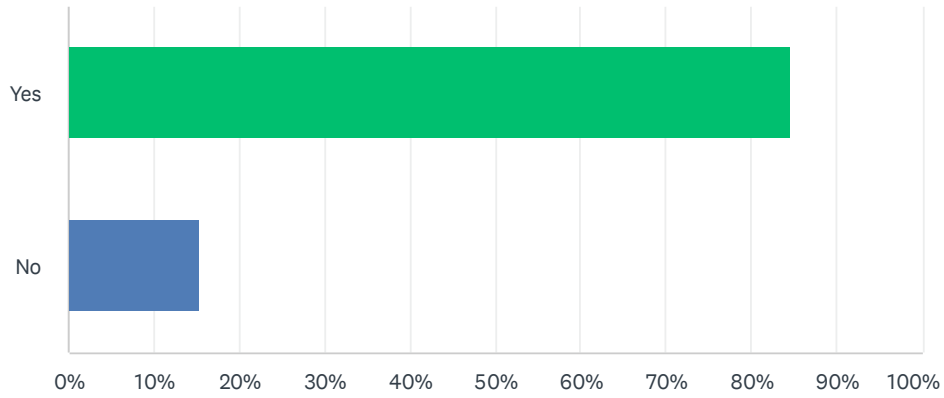
Answered: 61 Skipped: 35



ANSWER CHOICES	RESPONSES	
Yes	93.44%	57
No	6.56%	4
TOTAL		61

### Q13 Are you able to obtain available information from the City of Winder social media sites?

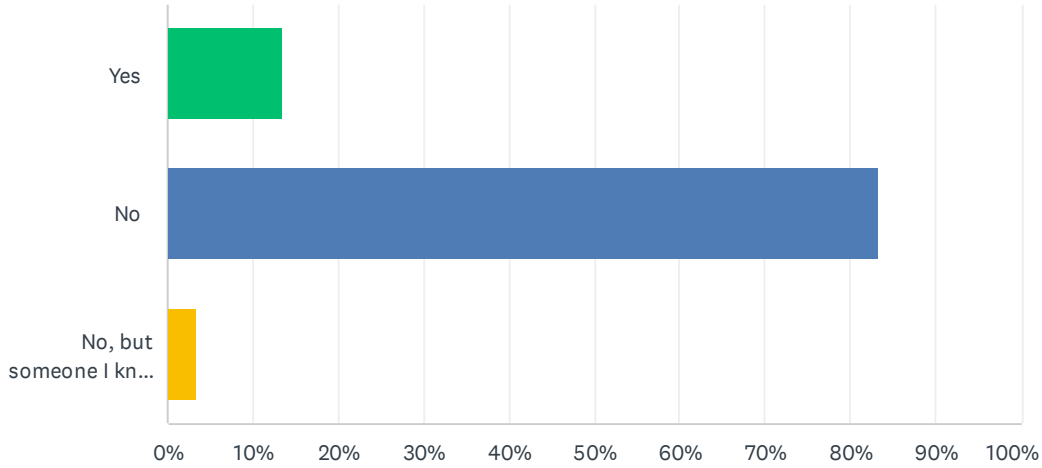
Answered: 59 Skipped: 37



ANSWER CHOICES	RESPONSES	
Yes	84.75%	50
No	15.25%	9
TOTAL		59

### Q14 Have you encountered any other accessibility-related challenges/concerns related to programs, services or activities sponsored by the City of Winder not covered by the question above?

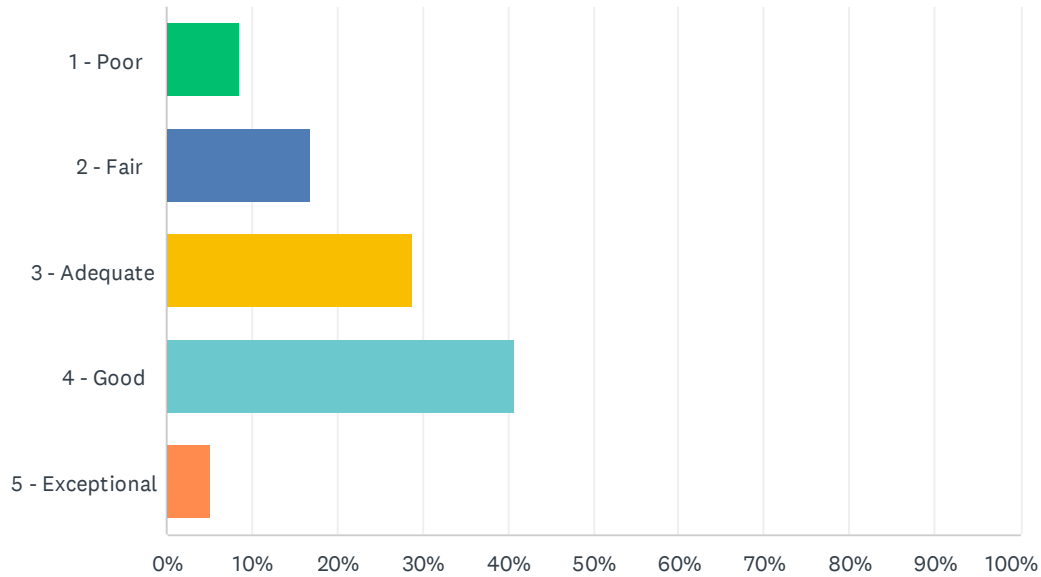
Answered: 60 Skipped: 36



ANSWER CHOICES	RESPONSES	
Yes	13.33%	8
No	83.33%	50
No, but someone I know has.	3.33%	2
<b>TOTAL</b>		<b>60</b>

## Q15 On a scale of 1 to 5, how would you rate the accessibility of the City of Winder’s public amenities overall?

Answered: 59 Skipped: 37

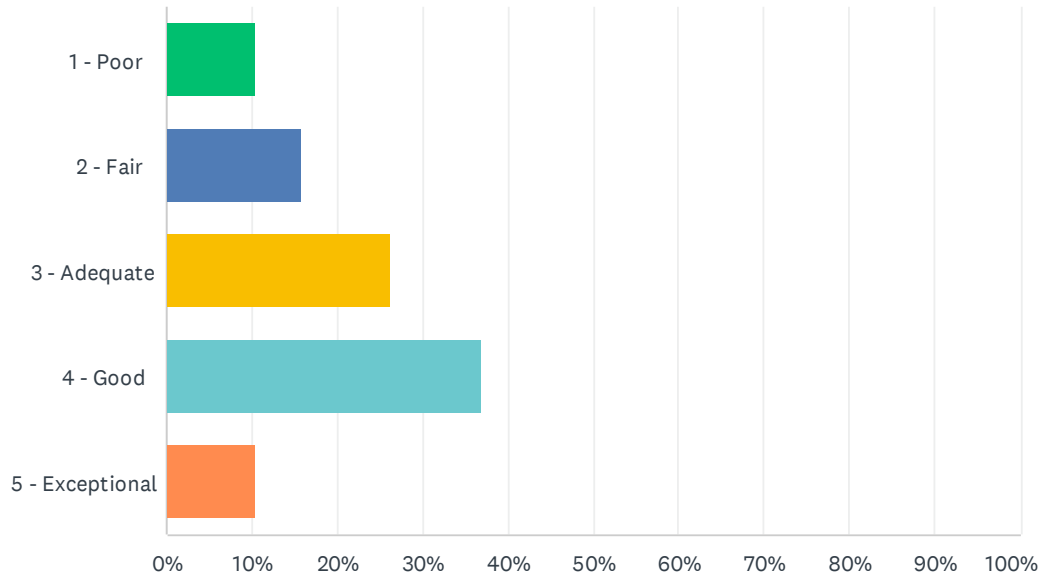


ANSWER CHOICES	RESPONSES
1 - Poor	8.47% 5
2 - Fair	16.95% 10
3 - Adequate	28.81% 17
4 - Good	40.68% 24
5 - Exceptional	5.08% 3
<b>TOTAL</b>	<b>59</b>



## Q16 On a scale of 1 to 5, how would you rate the accessibility of the City of Winder’s programs, services, and activities overall?

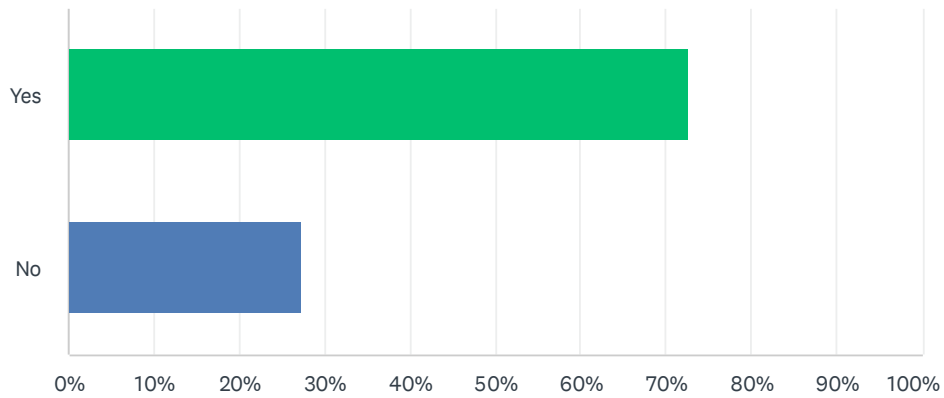
Answered: 57 Skipped: 39



ANSWER CHOICES	RESPONSES	
1 - Poor	10.53%	6
2 - Fair	15.79%	9
3 - Adequate	26.32%	15
4 - Good	36.84%	21
5 - Exceptional	10.53%	6
<b>TOTAL</b>		<b>57</b>

### Q17 Is the City of Winder accommodating of persons with disabilities?

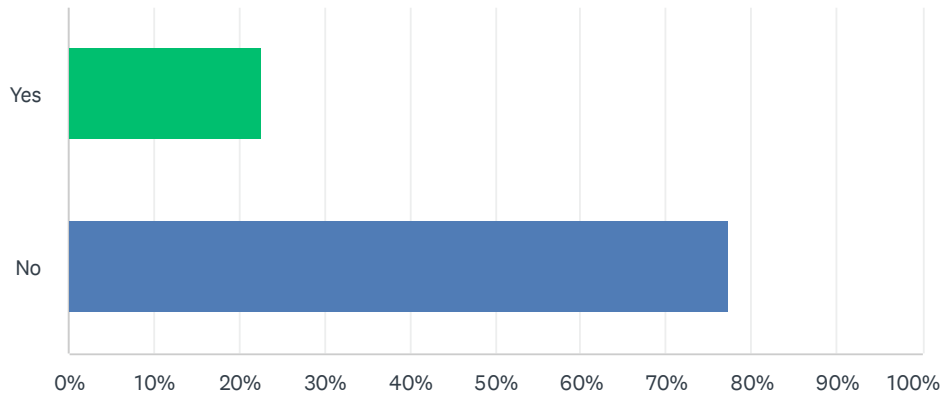
Answered: 55 Skipped: 41



ANSWER CHOICES	RESPONSES	
Yes	72.73%	40
No	27.27%	15
TOTAL		55

### Q18 Do you have any general comments or items regarding accessibility that you would like the City to be aware of that were not covered by the questions above?

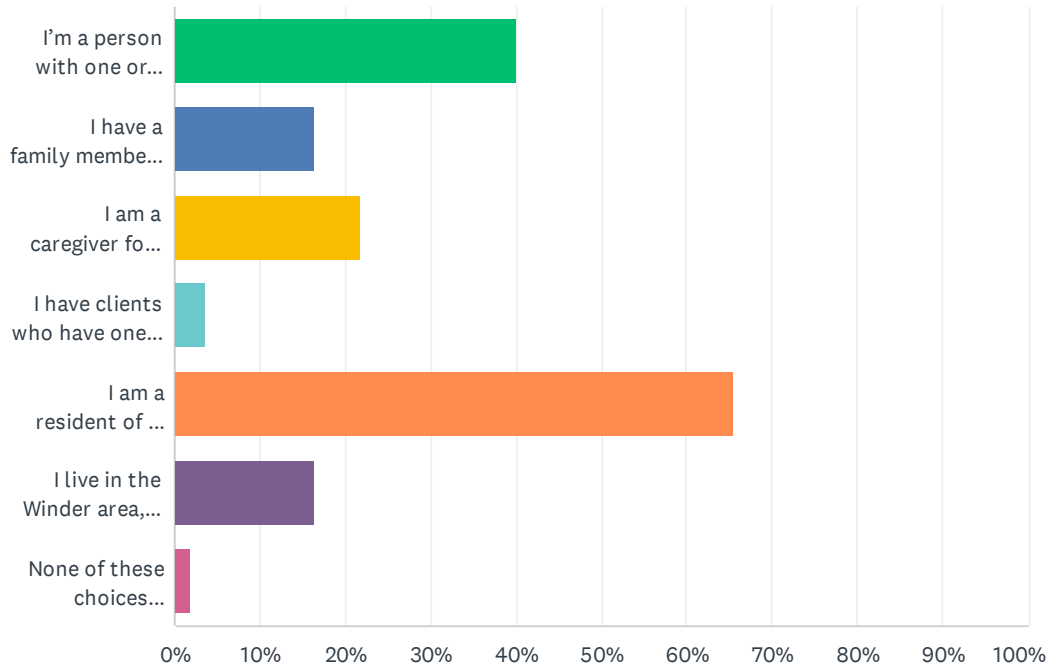
Answered: 53 Skipped: 43



ANSWER CHOICES	RESPONSES	
Yes	22.64%	12
No	77.36%	41
<b>TOTAL</b>		<b>53</b>

**Q19 (OPTIONAL) Which of the following describes you? (Click all options that apply to you and enter any relevant details you would like to share)**

Answered: 55 Skipped: 41



ANSWER CHOICES	RESPONSES	
I'm a person with one or more disabilities	40.00%	22
I have a family member with one or more disabilities but I'm not their caregiver	16.36%	9
I am a caregiver for a person with one or more disabilities	21.82%	12
I have clients who have one or more disabilities	3.64%	2
I am a resident of the City of Winder	65.45%	36
I live in the Winder area, but reside outside the City limits of Winder	16.36%	9
None of these choices describe me	1.82%	1
Total Respondents: 55		



**APPENDIX C: GRIEVANCE PROCEDURE AND PUBLIC NOTICE**

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**CITY OF WINDER TITLE II GRIEVANCE PROCEDURE**

**CITY OF WINDER TITLE II GRIEVANCE FORM**

**PUBLIC NOTICE UNDER THE ADA**



# City of Winder

## AMERICANS WITH DISABILITIES ACT / GRIEVANCE PROCEDURE

---

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Winder. The City's 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:

**Jessica Smith, ADA/504 Coordinator  
Public Works Administrative Assistant  
City of Winder Public Works  
25 East Midland Ave  
Winder, GA 30680  
Office: 770-867-3106  
Georgia Relay: 7-1-1  
[jessica.smith@cityofwinder.com](mailto:jessica.smith@cityofwinder.com)**

Within 15 calendar days after receipt of the complaint, Jessica Smith or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Jessica Smith or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Winder and offer options for substantive resolution of the complaint.

If the response by Jessica Smith or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the City Manager or his/her designee.

Within 15 calendar days after receipt of the appeal, the City Manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Manager or his/her 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 Jessica Smith or her designee, appeals to the City Manager or his/her designee, and responses from these two (2) offices will be retained by the City of Winder for at least three (3) years.



OFFICE USE ONLY
DATE COMPLAINT OPENED: _____
DATE COMPLAINT CLOSED: _____

## CITY OF WINDER, GEORGIA TITLE II ADA GRIEVANCE FORM

*The City of Winder ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered, its recipients, sub-recipients, and contractors. To request an accommodation and/or an alternate format, please contact Jessica Smith, ADA/504 Coordinator, at (770) 867-3106.*

**Instructions: Please complete and sign the form and email or mail it to the City within 60 calendar days of any incident to:**

**ADA/504 Coordinator – Jessica Smith**

*Physical address:*

Jessica Smith, ADA/504 Coordinator  
Public Works Administrative Assistant  
25 E. Midland Ave  
Winder, GA 30680

Phone: (770) 867-3106  
Email: [jessica.smith@cityofwinder.com](mailto:jessica.smith@cityofwinder.com)

**1. Type of Grievance (check all that apply):**

- Accommodation Request
- Program/Service
- Facility Accessibility
- Other: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

### CONTACT INFORMATION

**2. Reporting Individual:**

Full Name:	
Address:	
City, State, Zip code:	
Phone:	Alternate Phone:
Email:	

**3. Authorized Representative of Reporting Individual (if any):**

Full Name:	
Address:	
City, State, Zip code:	
Phone:	Alternate Phone:
Email:	

**DETAILS OF COMPLAINT / INCIDENT**

**4. Date/Time of Incident:** \_\_\_\_\_

**5. Department/Facility/Location Involved:**

**6. Describe the incident/complaint with enough detail so the nature of the grievance can be understood. Add additional pages if necessary:**

**7. Have attempts been made to resolve the complaint through a City Department? If yes, please describe the efforts that have been made.**



**8. Remedy Sought. What action do you want taken?**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Attach additional pages as necessary. If you need assistance, require an accessible format, or have questions about this form, please contact the City's ADA/504 Coordinator at:

*Physical address:*

Jessica Smith, ADA/504 Coordinator  
Public Works Administrative Assistant  
25 E. Midland Ave  
Winder, GA 30680

Phone: (770) 867-3106  
Email: [jessica.smith@cityofwinder.com](mailto:jessica.smith@cityofwinder.com)



# City of Winder

## AMERICANS WITH DISABILITIES ACT / PUBLIC NOTICE

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

**Employment:** The City of Winder does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

**Effective Communication:** The City of Winder will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in City of Winder's 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 City of Winder will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in City of Winder 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 City of Winder, should contact the office of **Jessica Smith, ADA/504 Coordinator** at **770-867-3106** or **[jessica.smith@cityofwinder.com](mailto:jessica.smith@cityofwinder.com)** as soon as possible but no later than 48 hours before the scheduled event.

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

Complaints that a program, service, or activity of the City of Winder is not accessible to persons with disabilities should be directed to **Jessica Smith, ADA/504 Coordinator** at **770-867-3106** or **[jessica.smith@cityofwinder.com](mailto:jessica.smith@cityofwinder.com)**.

City of Winder will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.



**APPENDIX D: FEDERAL HIGHWAY ADMINISTRATION ADA  
TRANSITION PLANS PROCESS MEMO**

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# Memorandum

Subject: **INFORMATION:** ADA Transition  
Plans

Date: JUN 27 2019

From: Irene Rico   
Associate Administrator

In Reply Refer To:  
HCR-40

To: Division Administrators  
Civil Rights Specialist

**THIS MEMORANDUM SUPERSEDES THE OFFICE OF CIVIL RIGHTS' (HCR) NOVEMBER 12, 2015 MEMORANDUM IN ITS ENTIRETY.**

**PURPOSE:** To explain new process for review of submitted ADA transition plans (TPs). The TP review process is being delegated to Division Administrators in the 14 States that do not have either a self-certified TP or a TP that was found to meet the regulatory minimum attributes by the FHWA TP Review Team.

**BACKGROUND:** Over the last three years, FHWA has worked to ensure that every State, along with the District of Columbia and Puerto Rico, has an ADA Transition Plan (TP) that meets the minimum attributes provided in the Department of Justice's ADA Title II regulations, found at 28 CFR 35.150(d). In November of 2015, HCR issued guidance laying out the process for reviews of submitted TPs by an FHWA national review team. To date, 38 States (including DC) have a transition plan in place. Of these, 14 TPs have been vetted by the Team and found to have met the minimum regulatory attributes, and 24 TPs are self-certified plans. Over the course of the last year, that number has held steady at 38.

**STATUS:** The 38 jurisdictions that already have TPs in place, including the 24 self-certified States, can implement those TPs while continuing to update and improve them. Of the 14 remaining jurisdictions, only two have not yet submitted any plan. The other 12 have submitted plans that have not yet been deemed to meet the minimum attributes. Those 12 States can continue to update and improve those TPs before submitting them to the Division Offices in their States for review. The Resource Center is available to assist any of the 50 jurisdictions with submitted plans in updating and improving their TPs. The two jurisdictions that have not yet submitted TPs will be offered individual TA visits to assist them with getting plans in place so they can be submitted to the Division Offices in those States for review.

**BENEFITS:** FHWA's efforts over the last three years to assist States in developing and improving their TPs have been successful, but the process has sometimes been cumbersome. By delegating the remaining TP review to DAs and continuing plan

improvement efforts, we can continue to work collaboratively with States in a more productive way than under the current process. FHWA can maintain positive working relationships with the States through a more streamlined process that leverages the Division Offices' working relationships with the State DOTs. The DAs have local knowledge and relationships in their States to ease collaboration efforts to better implement TPs.

**MINIMUM REQUIREMENTS:**

The U.S. Department of Justice's (DOJ's) ADA Title II regulations at 28 CFR 35.150(d) set forth a list of minimum transition plan requirements as follows:

1. Identification of the official responsible for implementation of the transition plan (See 28 CFR 35.150(d)(3)(iv));
2. An inventory of barriers (i.e., identification of physical obstacles) (See 28 CFR 35.150(d)(3)(i) & 28 CFR 35.105(a));
3. A prioritized schedule of when barriers will be eliminated and deficiencies corrected (See 28 CFR 35.150(d)(2) & 28 CFR 35.150(d)(3)(iii)); and
4. A description of the methods that will be used to make facilities accessible (See 28 CFR 35.150(d)(3)(ii)).

More details about each requirement are available in the attached tools, "State DOT Transition Plan Attributes Review Guide" (Review Guide) and "Transition Plan Review Tool" (Tool). These tools are provided to assist Division Administrators in their review of TPs in States that do not have either a self-certified TP or a TP that was found to meet the regulatory minimum attributes by the FHWA TP Review Team. If you believe that the State's TP does not meet the minimum attributes, you should work with the State DOT to address the identified deficiencies. When the deficiencies, if any, are sufficiently addressed, the Division Administrator will notify the State DOT. HCR and the Resource Center are available to provide technical assistance upon request.

**LOCAL PUBLIC AGENCIES (LPAs):** LPAs are required to conduct self-evaluations of the accessibility of pedestrian facilities in their public rights-of-way and to correct deficiencies by making necessary modifications. In addition, LPAs with fifty or more employees are required to have a TP. FHWA will not review TPs from LPAs as a matter of course. When FHWA investigates a complaint filed against an LPA, FHWA will review the LPA's compliance with the self-evaluation and TP requirements as part of its investigation. While FHWA review of an LPA's TP is not required, a Division Office may assist LPAs with TPs and/or review LPA TPs if it wishes to do so.

**POINTS OF CONTACT:** If you have any questions related to this memorandum, please contact Sharon Field at [sharon.field@dot.gov](mailto:sharon.field@dot.gov) or Patrick Gomez at [patrick.gomez@dot.gov](mailto:patrick.gomez@dot.gov)

State \_\_\_\_\_

<b>State DOT Transition Plan Attributes Review Guide:</b> All Elements posted conspicuously on website, for internal and external use	
Transition Plan Attribute	Review Comments
<p><b>Official responsible</b> for implementation of the TP, i.e., Executive Director, Secretary, Commissioner, Chief Engineer, etc. 28 CFR 35.150(d)(3)(iv)</p>	
<p><b>Inventory of barriers</b> (identification of physical obstacles) 28 CFR 35.150(d)(3)(i); 28 CFR 35.105 (a) – State demonstrates good faith by identifying intersection information, including curb ramps and other associated accessibility elements, as a starting point and showing movement and commitment toward developing a full inventory.</p> <p>Require an Action Plan to develop an inventory of sidewalks (slopes, obstructions, protruding objects, changes in levels, etc.), signals (APS), bus stops (bus pads), buildings, parking, rest areas (tourist areas, picnic areas, visitor centers, etc.), mixed use trails, linkages to transit.</p> <p>Best practice - have discussion of jurisdictional issues/responsibilities for sidewalks</p>	
<p><b>Schedule</b> – Show a strong commitment toward upgrading ADA elements identified in the inventory of barriers in the short term (planned capital improvement projects) and a strong commitment over time toward prioritizing curb ramps at walkways serving entities covered by the ADA. 28 CFR 35.150(d)(2) This would also include prioritization information, planning, and investments directed at eliminating other identified barriers over time. 28 CFR 35.150(d)(3)</p> <p>Best practice - dedicate resources to eliminate identified ADA deficiencies</p>	
<p>Describe in detail the <b>Methods</b> that will be used to make the facilities accessible. 28 CFR 35.150(d)(3)(ii)</p> <p>Best practice – include the Standard that the STA is following (i.e., 2010 ADAAG, 2011 PROWAG)</p>	
Other ADA Requirements	Review Comments
<p><b>Public Involvement</b> – Description of process to allow public to readily access and submit comments for both self-evaluation and transition plan. 28 CFR 35.150(d)(1); 28 CFR 35.105(b)</p> <p>Best practices: a) detailed list of individuals consulted posted conspicuously on website, does not have to be in actual TP, but must be documented and available; b) have both electronic and hard copy notice. 28 CFR 35.105(c)</p>	
<p><b>ADA policy statement</b> is a requirement of State Agencies, but does not have to be in the TP per se, but it is a good practice and needs to be easily accessible by the public. 28 CFR 35.106</p> <p>Best practice - post conspicuously on website, for internal and external use</p>	
<p>Clear identification of the <b>ADA Coordinator</b> (dedicated trained staff) with contact information (i.e., name, office address, telephone number, email address, fax number) 28 CFR 35.107(a)</p>	
<p>Clear <b>Complaint/Grievance Process</b> to receive and address complaints/grievances from the public (is a requirement of State Agencies, but does not have to be in the TP per se, but it is a good practice and needs to be easily accessible by the public). 28 CFR 35.107(b)</p>	
<p><b>REVIEWER</b> _____</p>	<p><b>DATE</b> _____</p>



## APPENDIX E: PARKS AMENITY INVENTORY

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**City of Winder  
 ADA Self-Evaluation and Transition Plan  
 Parks Amenity Inventory  
 4/2/2024**

<b>Park Name</b>	<b>Playground</b>	<b>Paved Path</b>	<b>Benches</b>	<b>Park Tables</b>	<b>Pavilion</b>	<b>Stage</b>	<b>Gazebo</b>	<b>Garden</b>
Jug Tavern Park		X	X		X	X		
Gazebo Park							X	
Mayor's Walk Park		X		X				
City Pond Park	X	X	X					
Winder Golf Course								
J C Cook Park								
Pineshore Park	X	X	X					X
Tavia Mathews Park at Rose Hill								
Veterans Commemorative Park		X	X					
Wilkins Greenway		X	X					
White's Mill Park								





## APPENDIX F: FACILITY INVENTORY MAPS

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**PARKS**

**SIGNALIZED INTERSECTIONS**

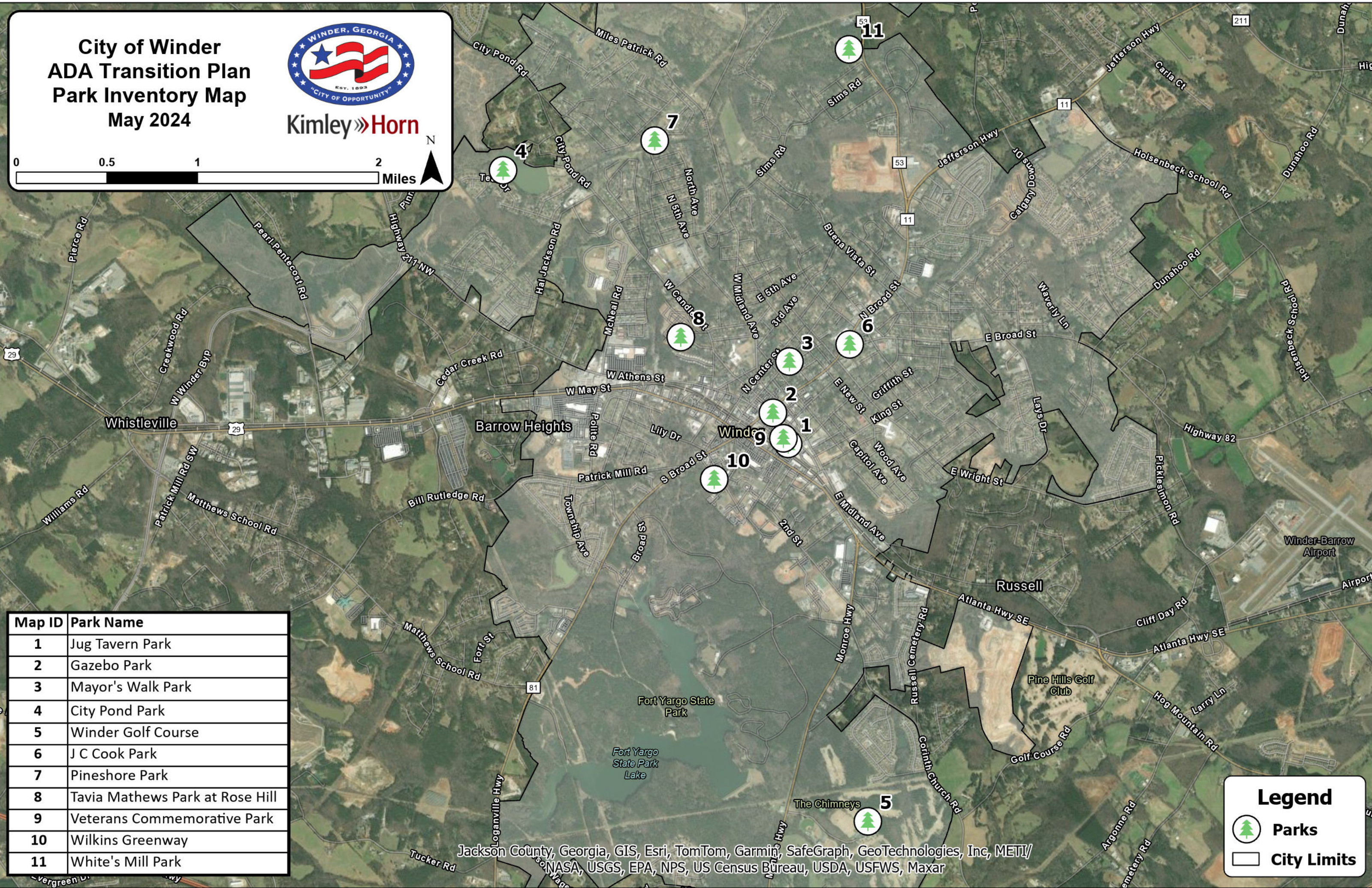
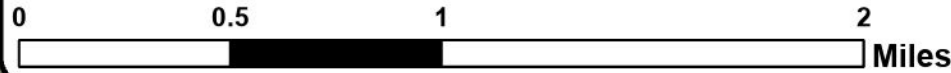
**SIDEWALK CORRIDORS**

**STAND-ALONE PARKING LOTS**

**City of Winder  
ADA Transition Plan  
Park Inventory Map  
May 2024**





**Kimley»Horn**



Map ID	Park Name
1	Jug Tavern Park
2	Gazebo Park
3	Mayor's Walk Park
4	City Pond Park
5	Winder Golf Course
6	J C Cook Park
7	Pineshore Park
8	Tavia Mathews Park at Rose Hill
9	Veterans Commemorative Park
10	Wilkins Greenway
11	White's Mill Park

**Legend**

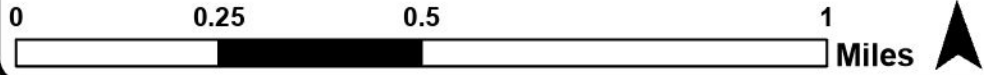
-  Parks
-  City Limits

Jackson County, Georgia, GIS, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/ NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, Maxar

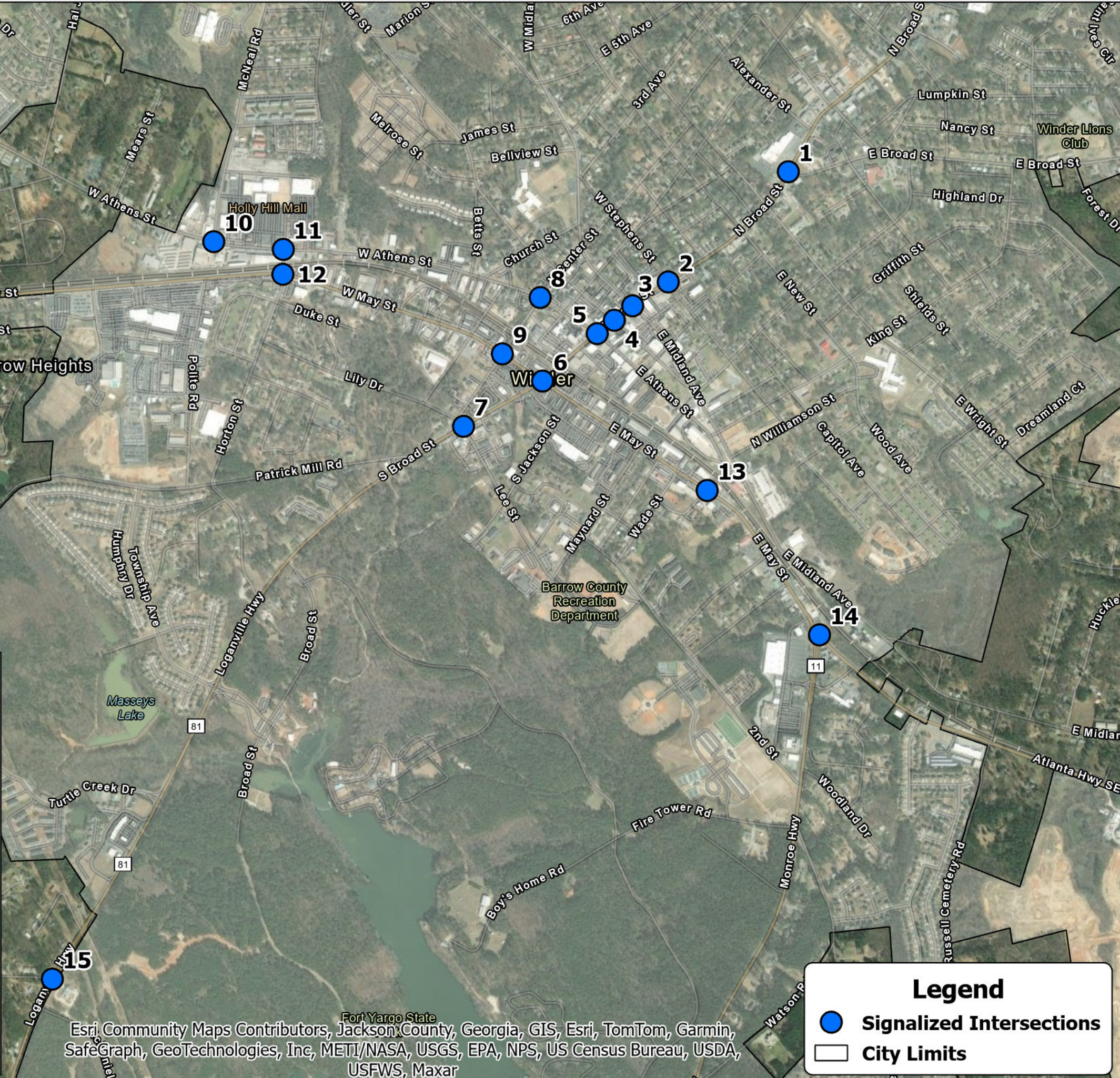
**City of Winder  
ADA Transition Plan  
Signalized Intersection Map  
May 2024**



**Kimley»Horn**



Map ID	Intersection Name
1	Intersection of N Broad St and E Broad St
2	Intersection of N Broad St and Stephens St
3	Intersection of N Broad St and Midland Ave
4	Intersection of N Broad St and Candler St
5	Intersection of N Broad St and Athens St
6	Intersection of N Broad St and May St
7	Intersection of S Broad St and Lee St
8	Intersection of N Center St and W Athens St
9	Intersection of N Center St and W May St
10	Intersection of W Athens St and McNeal Rd
11	Intersection of W Athens St and Horton St
12	Intersection of W May St and Horton St
13	Intersection of E May St and E Athens St
14	Intersection of W Atlanta Hwy SE and Monroe Hwy
15	Intersection of Loganville Hwy and Matthews School Rd



**Legend**

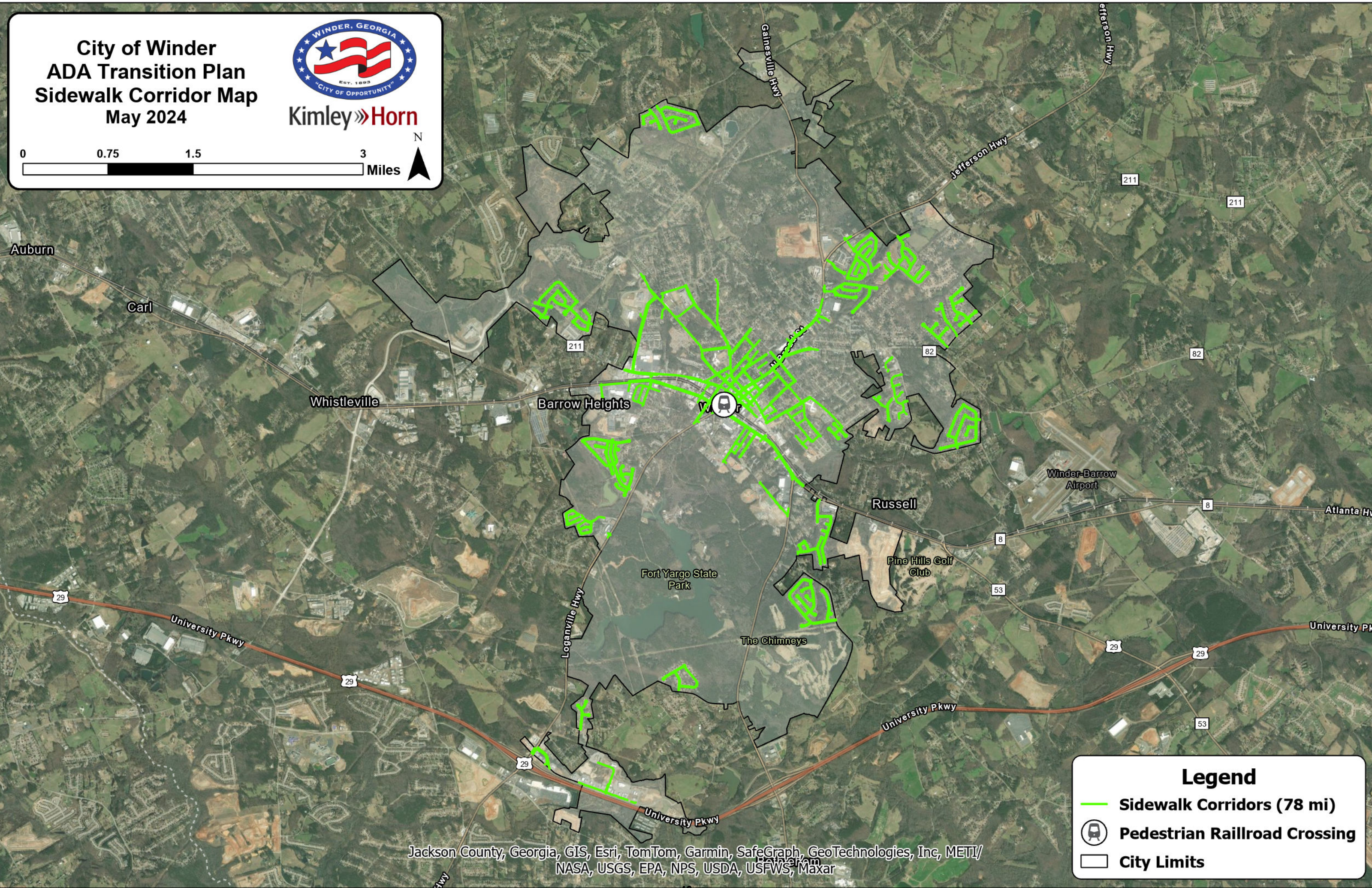
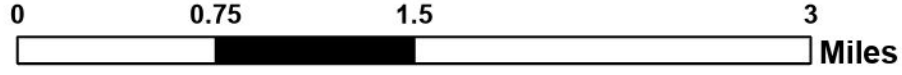
- Signalized Intersections
- City Limits

Esri, Community Maps Contributors, Jackson County, Georgia, GIS, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, Maxar

City of Winder  
ADA Transition Plan  
Sidewalk Corridor Map  
May 2024



Kimley»Horn



**Legend**

- Sidewalk Corridors (78 mi)
- Pedestrian Railroad Crossing
- City Limits

Jackson County, Georgia, GIS, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/  
NASA, USGS, EPA, NPS, USDA, USFWS, Maxar

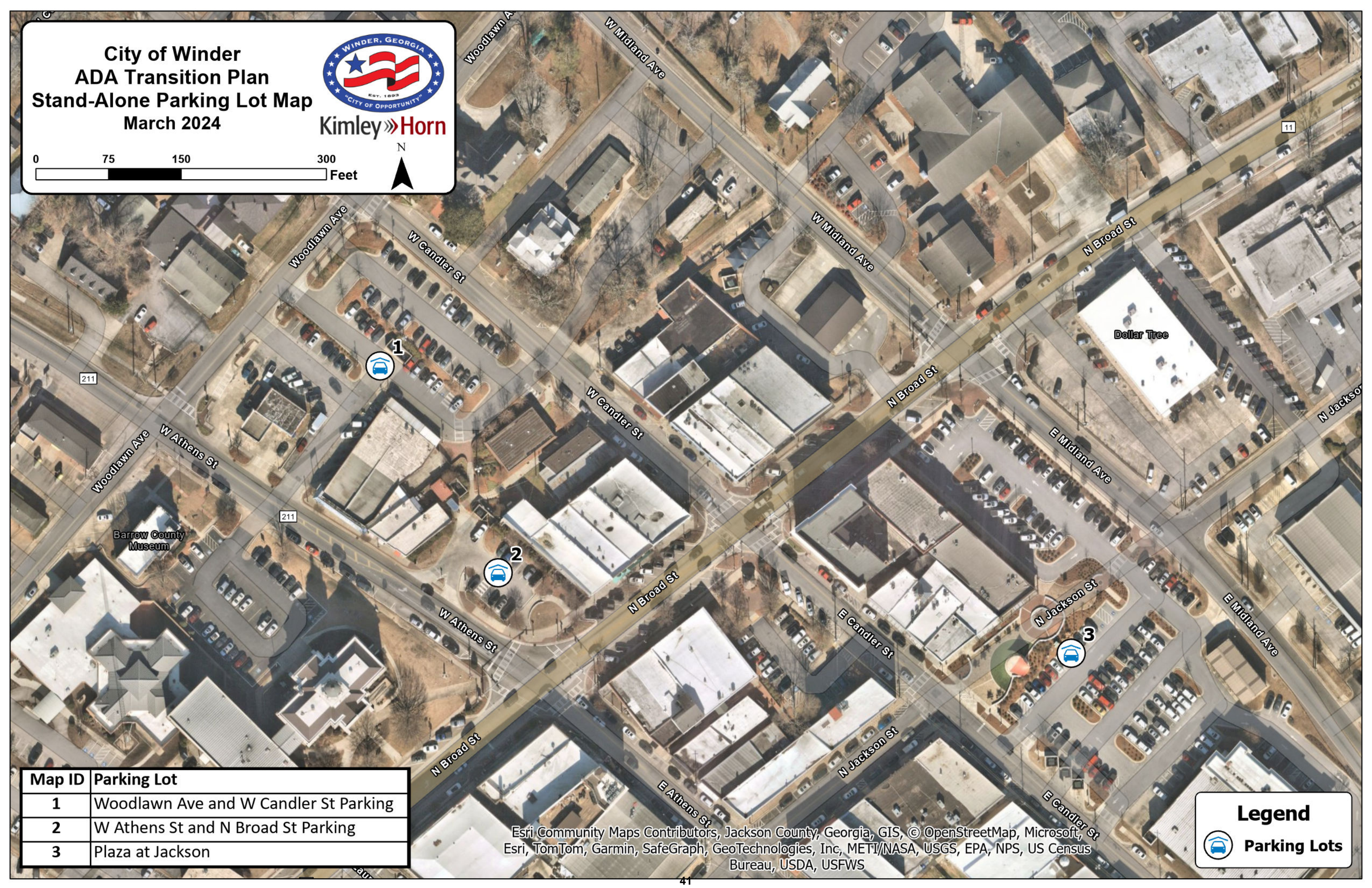
**City of Winder**  
**ADA Transition Plan**  
**Stand-Alone Parking Lot Map**  
**March 2024**



**Kimley»Horn**

0 75 150 300 Feet

N



Map ID	Parking Lot
1	Woodlawn Ave and W Candler St Parking
2	W Athens St and N Broad St Parking
3	Plaza at Jackson

**Legend**



**Parking Lots**

Esri Community Maps Contributors, Jackson County, Georgia, GIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS



## APPENDIX G: ADA ACTION LOG

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**City of Winder**  
**ADA Self-Evaluation and Transition Plan**  
**Action Log**  
**4/16/2024**

Facility Type	Facility ID	Project Name	Barrier #	Self-Evaluation Barrier	Cost Projection	Priority Value	Priority Rank	Funding Year	Year Completed
Park	1	City Pond Park							
Park	2	Gazebo Park							
Park	3	J C Cook Park							
Park	4	Jug Tavern Park							
Park	5	Mayor's Walk Park							
Park	6	Pineshore Park							
Park	7	Tavia Mathews Park At Rose Hill							
Park	8	Veterans Commemorative Park							
Park	9	White's Mill Park							
Park	10	Wilkins Greenway							
Park	11	Winder Golf Course							
Pedestrian Railroad Crossing	1	Pedestrian Railroad Crossing along Sidewalk Corridors							
Sidewalk Corridor	1	Public Rights-of-Way Sidewalk for 76 Miles							
Signalized Intersection	1	Intersection of N Broad St and E Broad St							
Signalized Intersection	2	Intersection of N Broad St and Stephens St							
Signalized Intersection	3	Intersection of N Broad St and Midland Ave							
Signalized Intersection	4	Intersection of N Broad St and Candler St							
Signalized Intersection	5	Intersection of N Broad St and Athens St							
Signalized Intersection	6	Intersection of N Broad St and May St							
Signalized Intersection	7	Intersection of S Broad St and Lee St							
Signalized Intersection	8	Intersection of N Center St and W Athens St							
Signalized Intersection	9	Intersection of N Center St and W May St							
Signalized Intersection	10	Intersection of W Athens St and McNeal Rd							
Signalized Intersection	11	Intersection of W Athens St and Horton St							
Signalized Intersection	12	Intersection of W May St and Horton St							
Signalized Intersection	13	Intersection of E May St and E Athens St							
Signalized Intersection	14	Intersection of W Atlanta Hwy SE and Monroe Hwy							
Signalized Intersection	15	Intersection of Loganville Hwy and Matthews School Rd							
Stand-Alone Parking Lot	1	Plaza at Jackson							
Stand-Alone Parking Lot	2	West Athens St and North Broad St Parking							
Stand-Alone Parking Lot	3	Woodlawn Ave and West Candler St Parking							
<b>TOTAL</b>					\$	-			