

**Self-Evaluation and Transition Plan
Pursuant to the Americans with Disabilities Act**



SYRACUSE
EST. CITY 1935

Syracuse City, Utah

Adopted by Syracuse City Council

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Introduction

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 government services and public transportation and public accommodations. Syracuse City has undertaken a comprehensive self-evaluation of its policies, programs, and facilities to determine the extent to which individuals with disabilities may be restricted in accessing City services, activities and facilities.

Syracuse City is dedicated to ensuring that qualified individuals with disabilities are not excluded from participating in any program, service or activity provided by the City on the basis of a disability. City employees are expected to respect all individuals, regardless of the type of disability encountered, and to make reasonable accommodations whenever possible.



Purpose & Implementation

The purpose of this Self-evaluation and Transition plan is to guide planning and implementation of necessary program and facility modifications over the next several years in accordance with the ADA. The evaluation and plan are required under federal law for municipalities. *See* 28 C.F.R. 35.105.

In order to be effective, the Transition Plan should be utilized frequently in planning of projects and funding decisions. It should also be reviewed periodically and updated. Progress in overcoming barriers to programs or facilities should be reported to the Council on a regular basis. Over time, as City programs and facilities are expanded or altered, this Plan should be expanded upon to ensure accessibility for individuals with disabilities.

Items listed in this document and its appendices are to be used as a starting point for planning. Identified departments will be tasked with making corrections to deficiencies, both included in this document and later identified. The City seeks to come into compliance and remove barriers that historically exist. Some barriers are easily overcome through changes to policy or procedures. Other require capital investment by the City Council, and thus must be prioritized. Such prioritization will be balanced between the severity of the barrier and the cost to correct the deficiency. The Plan identifies barriers to the City's public rights-of-way and gives a general outline or timeframe for removal of the barrier.

Process & Adoption

The opportunity for the disabled community or other interested individuals to participate in the development of the Transition Plan is an important part of the process. The City Council conducted a public hearing and published notification to the community, to provide input back to the Council in adopting this Plan. Following the hearing, the City also provided 30 days for comments on the draft Plan presented at the hearing. After the comment period, the Council again held a hearing and adopted the Plan by ordinance. Ongoing public input may be provided to the City's ADA Coordinator.

City Obligations Under ADA

The City is a public entity governed by the provisions of the ADA, which addresses the City's obligations as it relates to individuals with disabilities. Disability is defined under the ADA, as it relates to individuals, as:

- A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- A record of such an impairment; or
- Being regarded as having such impairment.



Under Title II of the ADA, Syracuse City must meet these general requirements:

- Operate its programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities (28 C.F.R. § 35.150).
- Not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability (28 C.F.R. § 35.130(a)).
- Make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result (28 C.F.R. § 35.130(b)(7)).
- Not provide services to individuals with disabilities that are different or separate unless such measures are necessary, and the City ensures that those different or separate services are equally effective (28 C.F.R. § 35.130(b)(iv) & (d)).
- Take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others (29 C.F.R. § 35.160(a)).

- Designate at least one responsible employee to coordinate ADA compliance. This person is referred to as the ADA Coordinator. The City must provide the ADA coordinator's name, office address, and telephone number to all interested individuals (29 C.F.R. § 35.107(a)).
- Provide notice of ADA requirements related to Title II, including identifying the ADA Coordinator (28 C.F.R. § 35.106).
- Establish a grievance procedure for the prompt and equitable resolution of complaints (28 C.F.R. § 35.107(b)).

ADA Coordinator, Notice & Grievance Procedure

The implementation of permanent assignments and procedures to assist individuals with disabilities to provide input, identify barriers, or submit grievances to the City is essential to the overall success of the Plan.

ADA Coordinator

An assigned HR Specialist (Shauna Greer) is designated as the ADA Coordinator for Syracuse City. Requests for reasonable accommodation or communications regarding barriers to accessibility should be directed to the ADA Coordinator.

The appointed individual must be familiar with the City's operation, trained in the requirements of the ADA and other laws related to discrimination, and be capable of communicating effectively with local governments, advocacy groups and the general public. The Coordinator should have sufficient time to carry out the responsibilities of the assignment.

Notice

The City adopts the attached Notice (Appendix A), pursuant to 28 C.F.R. § 35.106. The Mayor is directed to distribute it to all department heads, post the Notice on the City's Internet webpage, and post a copy in a conspicuous location in each City-owned public building. The City will update the contact information and make other general updates to the Notice, without specific direction from the Council. Copies of the most recent Notice will be provided to any person upon request.

Grievance Procedure

The City adopts the attached ADA grievance procedure (Appendix B). The Mayor is directed to distribute the procedure to all department heads, post copies of it in each City-owned public building and post the Notice on the City's Internet webpage. The procedure may be updated as

necessary, without specific direction from the Council. Copies of the most recent grievance procedure will be provided to any person upon request.

General Effective Communication Provisions



Within twelve months of approval of this document, the City will identify sources of qualified sign language and oral interpreters, real-time transcription services, and vendors that can put documents into Braille. The use of Utah state contracts is recommended. The City will develop a written procedure, with time frames, for fulfilling requests from the public for sign language and oral interpreters, real-time transcription services, and documents in alternate formats.

Appropriate City employees will receive training in using TTY systems to make and receive calls and will be trained to identify and assist those in need of sign language and oral interpreters.

The City will reasonably ensure that auxiliary aids are available for attendees at public meetings.

Law Enforcement & Effective Communication

The Syracuse Police Department has adopted policies designed to facilitate Communications with people with Disabilities. The Department will ensure that officers are trained and familiar with the policy. The Department will also assign an officer or employee to be a department-level ADA coordinator.

The Department has existing contacts with qualified sign language and oral interpreters. It will continue to use Utah state contracts to acquire the services of the qualified interpreters and ensure that such interpreting services are available on a priority basis, twenty-four hours per day, seven days per week.

Employment

The City has reviewed its policies for compliance with the regulations of the U.S. Equal Employment Opportunity Commission implementing Title I of the ADA. It meets the minimum requirements, which are that the City:

- Does not discriminate on the basis of disability in its hiring or employment practices;
- Will not ask a job applicant about the existence, nature or severity of a disability.
- May ask applicants about their ability to perform specific job functions. Medical examinations or inquiries may be made, but only after a conditional offer of employment is made and only if required of all applicants for the position;
- Will make reasonable accommodations for the known physical or mental limitations of a qualified applicant or employee with a disability upon request unless the accommodation would cause an undue hardship on the operation of the City's business. If an applicant or an employee requests a reasonable accommodation and the individual's disability and need for the accommodation are not readily apparent or otherwise known, the City may ask the individual for information necessary to determine if the individual has a disability-related need for the accommodation;
- Will maintain employee medical records separate from personnel files and keep them confidential;
- Will make an individualized assessment of whether a qualified individual with a disability meets selection criteria for employment decisions. To the extent the City's selection criteria have the effect of disqualifying an individual because of disability, those criteria will be job-related and consistent with business necessity.



City Policies and Practices

The City has reviewed all of its written policies and examined its practices, written and unwritten, in the context of providing access to persons with disabilities.

Within six months of adoption of this Plan, the City will ensure:

- Each department has a specific, written policy adopted that indicates that policies and procedures may be modified as an accommodation for disability.
- Each department has access to aids and services leading to effective communication with qualified persons with disabilities.
- Each department has contact information for the City’s ADA Coordinator.
- Policy prohibits the charging of surcharges or recovery of costs necessary to provide auxiliary aids or services, or reasonable modifications of policy, for those with disabilities.
- All contracts for services or construction include a non-discrimination provision to which the contractor will be required to comply.
- All services and programs that are offered to the public are offered to qualified persons with disabilities.
- Policies and practices provide guidance to employees as it relates to service animals.

Web-Based Services and Programs

In Spring 2019, the City redesigned its website. As part of the Request for Proposals, accessibility was listed as a mandatory aspect of the redesign. The vendor designed a webpage that was compliant with the U.S. Department of Justice’s “Accessibility of State and Local Government Websites to People with Disabilities.”

Employees who have been given access to edit and update the website have been trained on the proper manner of doing so. Concerns with accessibility on the City’s webpage should be directed to the ADA Coordinator, who will coordinate with the Administrative Services Department to correct any barriers to accessibility that arise on the City’s webpage.

Within six months of adoption of this Plan, a webpage will be created that contains information useful to employees and the public regarding accessibility. The information will be a resource to be used by any City employees that have questions about requesting an accommodation and will help the general public access information and procedures related to disabilities.

The page will include, at a minimum:

- ADA Coordinator contact information
- Notice and Grievance Procedure
- Contact information for employees to obtain communication aids (relay service, interpreters, transcription services, etc)
- City policies regarding prioritization of replacement of sidewalks, curb ramps, and other facilities in the right-of-way.
- Request forms, complaint forms and other documents needed to maintain compliance.

New Construction, Alterations & Physical Changes to Facilities

All buildings and facilities constructed shall be required to comply with the compliance requirements of 28 C.F.R. § 3, including compliance with the 2010 Standards for Accessible Design, published by the U.S. Department of Justice.



The City currently requires accessibility to be addressed when a building permit is issued for a structure. The City has adopted the International Building Code pursuant to Utah law, as amended. The building codes are the basis for determining whether a proposed building project will be required to meet accessibility standards. The Building Department is responsible for plan review and inspection of facilities constructed in the City. The Building Official and those who review such plans shall be trained in identifying whether a building meets applicable accessibility standards.

Existing City Buildings & Facilities

The City's Building Official has conducted physical inspections of all public areas of City-owned buildings and created a list of facilities found to be non-compliant with current accessibility standards (Appendix C). The list describes the type of deficiency, proposed remedy, approximate cost, and the severity of the barrier to accessibility. Deficiencies will be addressed as resources permit. The list includes a desired date of correction of the deficiency.

Facilities built prior to 1992 were required by federal law to be modified in a timely manner to provide accessibility. Those built between January 1992 and March 2012 are required to be in compliance with 1991 ADA regulations. All buildings that are constructed or modified after March 2012 are required to meet the requirements of the 2010 ADA Standards.

As buildings and facilities are scheduled for remodeling or upgrades, then they will be upgraded to the latest ADA standards. Regardless of when the building was constructed, deficiencies that present a severe barrier to accessibility on the City's list shall be corrected as soon as practicable. These projects will be prioritized based upon the severity of the barrier and the cost of the correction.

Parks, Playgrounds & Recreational Facilities

The City will be proactive in assessing the accessibility of its parks, playgrounds, and recreational facilities. This includes trails that are owned or maintained by the City. The 2010 ADA Standards address many of these facilities in a more specific manner. In combination with guidance produced by the Access Board and Federal Highway Administration, the City will make modifications to its outdoor spaces when barriers to accessibility are present. Planning of new outdoor spaces will be compliant with all applicable standards.

The City has completed an inventory of its parks, playgrounds and recreational facilities (Appendix D). The list classifies the deficiencies identified in the list by severity in barrier and cost. The City shall refer to the list and prioritize by balancing severity against cost. Items with low cost should be completed more quickly, regardless of the level of severity. High cost items should be considered in the City's capital planning process.

Programming

The City currently offers dozens of programs to the community through its various departments, chiefly at the Syracuse Community Center and city parks. It will ensure that people with disabilities are given an opportunity to participate in the programs and activities to the fullest extent feasible. When requests for accommodation are made to the City, they will either result in immediate accommodation, if the request is minor and may be accomplished without any difficulty, or with a referral to the City's ADA Coordinator to begin the interactive process. All interactions with people with disabilities by employees shall be respectful and constructive.

Right-of-Way Inventory & Improvements

Barriers to pedestrian transportation constitute a significant problem for persons with disabilities. As such, the City is committed to the installation and maintenance of accessible infrastructure within its right-of-way, which includes curb ramps, appropriately sloped sidewalks, and the removal of obstructions from the sidewalk

Inventory of Curb Ramps

The Syracuse Public Works Department has conducted an inventory of all curb ramps in the City and has identified whether they are compliant with current ADA standards (Map attached as Appendix E1 & Inventory attached as Appendix E2). There are 1,884 ramps within the City.

Syracuse controls 1,730 of those curb ramps – the remaining ramps are owned by the Utah Department of Transportation. The study found that:

- 646 pedestrian crossings meet current ADA standards
- 1,084 ramps are not in compliance with current ADA standards
- 4 pedestrian crossings lack a curb-ramp
- 573 pedestrian crossings lack truncated dome panels
- 129 non-compliant pedestrian crossings are currently inside project areas listed on the City's 5-year capital plan for road construction projects

As resources are available, the City will prioritize the replacement of pedestrian crossings with ADA-compliant curb ramps, based upon the following criteria (listed in order of priority):

1. Sidewalks with no curb ramps at intersections
2. Proximity to public facilities or schools that generate high volumes of pedestrian traffic
3. Reports of concerns by a person with a disability or a designee
4. Location within construction and right-of-way improvement projects
5. Close proximity to planned construction and right-of-way improvement projects

New Construction of Right-of-Way

All new roads that have pedestrian features include ADA-compliant components. Regardless of the entity that generates the infrastructure, the City applies current ADA standards to the construction.

The City will continue to update its standards and specifications so that pedestrian crossings and improvements are properly installed for use by persons with disabilities.

Right-of-Way Maintenance and Reconstruction Projects

Many of the City's roads and right-of-way improvements were installed under prior ADA standards. Those improvements are actively updated with road reconstruction projects, which generally occur between twenty and thirty years after the road's initial construction.

The City maintains a five-year capital improvement plan with recommended roads projects listed. The City's current plan includes roads that would correct 10% of the curb ramps that are currently deficient under ADA standards.

The City Engineer will, as road projects in the vicinity of deficient curb-ramps are planned, consider adding nearby curb-ramps to the construction project, even if the road immediately adjacent to those ramps will not otherwise be part of the project. The determination of whether to include those additional ramps will be based upon the totality of the circumstances, such as whether those curb-ramps abut roads that will not be reconstructed for more than 10 years, their proximity to schools or community resources, and their proximity to known persons with disabilities that could benefit from their reconstruction.

Maintenance of Right-of-Way for Snow or Debris

Sidewalks may become a barrier to accessibility if they become warped, shifted or lifted by heat, water or tree roots. They may also deteriorate or be damaged. In such cases, the City has a policy of requiring those responsible for the damage to correct the issue. If they do not do so, the City will render the sidewalk ADA compliant.

The City relies upon abutting property owners to remove snow and debris from sidewalks. Most of our citizens do so dutifully; unfortunately, some do not. The City employs code enforcement personnel to help identify and punish those who do not remove snow or debris from the sidewalk as provided in city code. In the event they do not do so, the City has empowered code enforcement to hire contractors to perform the work and lien the property owner.

Blocking sidewalks with vehicles, trailers or other objects is a major barrier to accessibility. City code prohibits the practice. The City's code enforcement arm will promptly respond to all complaints of sidewalk-blocking and take steps to prevent further violations of that code. Those who refuse to move their vehicles are subject to having the vehicle towed by the City.

Closures of Sidewalks and Detours

Closures of sidewalk are necessary for construction projects but can also present a special barrier to persons with disabilities who cannot travel off of the sidewalk around the construction area or cross a street mid-block. As part of its governance of the rights-of-way, the City will require all sidewalk closures to include an ADA compliant detour for pedestrians. This will include signage directing individuals to detours prior to the place of sidewalk disruption. It will ensure that the detour is part of the permitting process for private developers, and that its contractors and employees engage in the process.



Monitoring of Progress and Review of Plan

The administration is requested to provide annual updates to the Council as part of the Council's early budget discussions. This will allow the Council to consider the issue as it plans for the following fiscal year.

The Plan should be reviewed and updated regularly as deficiencies identified in the Plan are corrected. The City's goal is to have all facilities and right-of-way improvements in substantial compliance with the 2010 ADA Standards by 2040.