

**CITY OF MARCO ISLAND, FLORIDA**



**ADA TRANSITION PLAN  
PUBLIC RIGHTS-OF-WAY**

**October, 2015**

**PREPARED BY:**

**CITY OF MARCO ISLAND**

**PUBLIC WORKS DEPARTMENT**

**TIMOTHY E. PINTER, P.E.**

**PUBLIC WORKS DIRECTOR**

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## I. INTRODUCTION

### **BACKGROUND**

The Americans with Disabilities Act (ADA) of 1990 is a civil rights statute that prohibits discrimination against people who have disabilities. There are five separate Titles (sections) of the Act relating to different aspects of potential discrimination. Title II of the Act specifically addresses the subject of making public transportation accessible to those with disabilities. The Act applies to all facilities, including both facilities built before and after 1990. State and local governments, public entities, and agencies are required to perform self-evaluations of their current facilities relative to the accessibility requirements of the ADA. Agencies are then required to develop a Program Access Plan (Transition Plan) to address deficiencies. The Transition Plan is intended to:

1. Identify physical obstacles that limit the accessibility of facilities to individuals with disabilities.
2. Describe the methods to be used to make facilities accessible.
3. Provide a schedule for making the access modifications.
4. Identify the public official's responsibilities for implementation of the Transition Plan.

The requirements of the ADA apply to all public entities or agencies, no matter the size. The Transition Plan's formal procedures, as outlined in 28 C.F.R. section 35.150 only govern those public entities with more than fifty employees. The obligation to have some planning method to make facilities ADA accessible is required for all public entities.

Note: The information above is extracted from ADA Transition Plan: A Guide to Best Management Practices, dated May, 2009, prepared by Jacobs Engineering Group for National Academy of Sciences, National Cooperative Highway Research Program, (NCHRP Project Number 20-7(232)).

### **OBJECTIVE**

The objective of this document is to provide an ADA Transition Plan for the City of Marco Island's public rights-of-way; no other public facilities under the jurisdiction of the City are addressed herein. The focus of the plan is solely on the City managed pedestrian facilities in the public rights-of-way under the City's jurisdiction.

## II. SELF-EVALUATION

The first task involved in preparing the ADA Transition Plan is conducting an inventory of existing physical barriers in the City's rights-of-way.

The following steps were followed:

1. Identified City rights-of-way.
2. Listed potential deficiencies.
3. Observed conditions within the City's rights-of-way.
4. Prepared report of observed conditions.

Conditions within the City's rights-of-way have been observed and documented by the City of Marco Island's Public Works staff on an on-going basis for several years.

A summary of the conditions observed follows:

1. Curb ramps are provided wherever sidewalks intersect curbs and crossing opportunities are provided.
2. The City has an extensive network of sidewalks within the public rights-of-way that generally provide acceptable access for individuals with disabilities.
3. Deficiencies are generally limited to:
  - a. Sidewalk sections with cross slopes > 2%.
  - b. Driveway turnouts that do not meet width and slope requirements for ADA compliance.

### **III. COMPLIANCE PROGRAM**

The City will address deficiencies in access in the following ways:

1. The City has a five-year Capital Improvement Program in excess of \$2 million per year. As part of the Capital Improvement projects, ADA deficiencies in the rights-of-way will be addressed.
2. Developers of undeveloped and redevelopment parcels will be required to address ADA deficiencies in the rights-of-way adjacent to their developments.
3. Any reported ADA deficiencies will be addressed by either of the above two methods

#### **IV. PROGRAM RESPONSIBILITY**

The official responsible for implementation of the City of Marco Island's ADA Transition Plan for Public Rights-of-Way is:

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## **V. PUBLIC INVOLVEMENT**

A copy of this Transition Plan will be published on the City of Marco Island's website and the public will be invited to provide comments. The Transition Plan will be updated, as needed, based on the comments received.