



WASHINGTON COUNTY, MARYLAND

TRANSITION PLAN

BUILDINGS AND PARKS/OUTDOOR FACILITIES

2023



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EXECUTIVE SUMMARY

The Americans with Disabilities Act (ADA) of 1990 is a civil rights law that prohibits discrimination against individuals with disabilities from receiving or having access to public service. Title II of the ADA applies to state and local governments for programs, services, activities, and prohibits discrimination against qualified individuals with disabilities.

Public agencies are required to conduct a Self-Evaluation of services, policies and practices as it relates to access for individuals with disabilities (28 CFR § 35.105(a)). Public agencies must also develop a Transition Plan to outline modifications and efforts that must be made to correct findings of non-compliance with ADA standards (28 CFR § 35.150 (d)).

Washington County took an approach implemented by other local and state governments to evaluate ADA deficiencies by conducting a Self-Evaluation of County-owned buildings and parks/outdoor facilities. The schedule of work is continually updated as projects are completed. The Self-Evaluation is available on the Washington County website.

The first step to developing the ADA Transition Plan was to analyze the inventory collected as part of the Self-Evaluation Report. This information was used to determine which facilities did not meet ADA standards. The County utilizes a priority system for each facility in the inventory. This information was used to understand the overall state of the pedestrian network as it relates to ADA standards and determine where investments can be optimized to serve the most users.

Washington County has prepared this ADA Transition Plan based upon the Self-Evaluation findings, public outreach, and collaboration with citizens and stakeholders throughout the County. This ADA Transition Plan identifies barriers to pedestrian facilities at County-owned buildings and parks/outdoor facilities, recommends potential mitigations, estimates funding requirements, and provides a schedule to implement the mitigations.

The County determined the overall financial investment needed to bring County facilities into ADA compliance. This was done by assigning an estimated improvement cost to each noncompliant facility. Program cost information will be used to plan and schedule improvement projects. Based on the findings listed in the data inventory, recommended improvements to bring facilities into compliance will cost approximately \$700,000 for buildings and approximately \$600,000 for parks/outdoor facilities.

Lastly, the County developed an ADA Capital Improvement Plan program and allocated funding to make improvements each year to support projects prioritized by the methods of the ADA Transition Plan. The ADA Capital Improvement Plan Program supports the County's ongoing commitment to provide equal access to all.

The ADA Transition Plan with annual results will be updated every year to keep efforts focused on achieving improvements to access to County-owned buildings and parks/outdoor facilities. The updates will highlight progress made, refine priority areas for projects, and update the remaining program costs. The five-year update will include the update to the Self-Evaluation and

a formal public comment period for the Transition Plan to continue the collaborative partnership with the community.

INTRODUCTION

The Americans with Disabilities Act (ADA) consists of five titles outlining protections in the following areas:

Title I – Employment; Title II – Non-discrimination on the Basis of Disability in State and Local Government Services; Title III – Nondiscrimination on the Basis of Disability by Accommodations and in Commercial Facilities; Title IV – Telecommunications; and Title V – Miscellaneous Provisions.

Title II of ADA pertains to the programs, activities and services public entities provide. The County must comply with this section of the act as it specifically applies to public service agencies. Title II of ADA provides that, “...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.” (42 U.S.C. § 12132; 28 CFR § 35.130.)

The County is fully committed to the goal of achieving equal opportunity and non-discrimination for all persons in their interactions with the County.

The purpose of the ADA Transition Plan is to develop a strategy, timeline, and budget to bring accessible routes and intersections within the County right-of-way, as well as County-owned buildings and parks/outdoor facilities into compliance with ADA standards. Consistent with the aspects of Title II compliance, the elements that an ADA Transition Plan should contain are as follows:

- The name of the designated public official responsible for implementation of the improvements.
- A process for the public to report problems and request improvements to the public entity’s facilities, including grievance procedures.
- A list of physical barriers in a public entity’s facilities that do not or may not meet the requirements of the ADA regarding the accessibility of its programs, activities, or services to individuals with disabilities.
- A detailed outline of methods for removing physical barriers to make facilities accessible.
- A schedule and budget demonstrating the necessary steps to achieve compliance with Title II. If the time period for achieving compliance is longer than 1 year, the ADA Transition Plan should identify the interim steps that will be taken during each year of the transition period.
- A program to monitor the implementation and mitigate gaps.

Title II of the ADA is companion legislation to two previous federal statutes and regulations: the Architectural Barriers Acts of 1968 and Section 504 of the Rehabilitation Act of 1973.

- The Architectural Barriers Act of 1968 is a federal law that requires facilities designed, built, altered or leased with federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.
- Section 504 of the Rehabilitation Act of 1973 is a federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any federal department or agency. Title II of ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not.

In addition to completing a Transition Plan, the County must meet the general requirements of Title II. The County:

- Must operate services, programs, or activities so that, when viewed in their entirety, they are accessible to and useable by individuals with disabilities (28 CFR § 35.150).
- May not refuse to allow a person with a disability to participate in services, programs or activities simply because the person has a disability (28 CFR § 35.130 (a)).
- May not provide benefits or services to individuals with disabilities that are separate or different than those provided to others unless the separate or different measures are necessary to ensure that benefits and services are equally effective (28 CFR § 35.130(b)(1)(iv) & (d)).
- Must make reasonable modifications in policies, practices and procedures to ensure equal access to individuals with disabilities unless modifications would fundamentally alter the nature of the service, program or activity (28 CFR § 35.130(b) (7)).
- Must take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others (28 CFR § 35.160(a)).
- Must designate at least one responsible employee to coordinate ADA compliance (28 CFR § 35.107(a)). This person is often referred to as the "ADA Coordinator." The public entity must provide the ADA Coordinator's name, office address, and telephone number to all interested individuals.
- Must provide notice of ADA requirements. The notice must provide information about the provisions of Title II and its applicability to services, programs or activities (28 CFR § 35.106).
- Must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints (28 CFR § 35.107(b)).

This Transition Plan only addresses accessibility to County-owned buildings and parks/outdoor facilities. Public right-of-way (*i.e.*, sidewalks, curb ramps, traffic signals/intersections) is addressed in a separate document.

ADA COORDINATOR AND IMPLEMENTING OFFICIAL

As required by the ADA, public agencies with 50 or more employees must designate at least one responsible employee to coordinate ADA compliance and investigate complaints/requests. This individual is responsible for reviewing potential violations of the ADA and addressing ADA concerns from the general public and from other departments and employees of the public entity.

In accordance with 28 CFR § 35.107(a), the County has identified an ADA Coordinator to oversee the County policies and procedures.

The designated ADA coordinator for Washington County's public right-of-way is the:

Director of Human Resources
100 West Washington Street
Hagerstown, MD 21740

The Director of Human Resources serves as the primary contact for the ADA policies, practices, and procedures that relate to Washington County's public right-of-way. Requests for information, questions, complaints, or grievances should be initially directed to the ADA Coordinator.

The Implementing Official has a broader scope of responsibility and can recommend policy or budget actions necessary to implement provisions of the ADA Transition Plan. The ADA Implementing Official for Washington County's public right-of-way (sidewalks, curb ramps, traffic signals/intersections) is the Director of Engineering, and the ADA Implementing Official for Washington County-owned buildings and parks/outdoor facilities is the Director of Public Works. 28 CFR § 35.150(d)(3)(iv).

Contact information for the above-referenced County Officials is included in Appendix A.

PUBLIC NOTICE ABOUT THE ADA REQUIREMENTS

Under Title II of the Americans with Disabilities Act (28 CFR § 35.106), each agency is required to publish notice of its responsibilities with regards to the ADA. This public notice is provided as Appendix B and can also be found on the County webpage.

Washington County has provided public notice of the ADA Transition Plan via an accessible web page on the Washington County website. Providing notice is an on-going responsibility. Staff will notify the public of any ADA Transition Plan updates, and a .pdf version of this ADA Transition Plan has been made available on the website.

PUBLIC INVOLVEMENT

As part of the Self-Evaluation and Transition Plan requirement per Title II of the ADA, public entities are required to engage in meaningful public participation during the drafting of the ADA Transition Plan. Public entities must accept comments from the public on the ADA Transition Plan and are strongly encouraged to consult with individuals with disabilities and organizations that represent these individuals to assist in the self-evaluation process.

28 CFR § 35.150(d)(1) requires public entities to “provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the Transition Plan by submitting comments.”

Washington County’s primary goals for conducting public outreach on the ADA Transition Plan are to inform the public about the County’s plan and processes regarding removal of barriers to accessibility within the County public right-of-way as well as at County-owned buildings and parks/outdoor facilities to identify gaps in the proposed ADA Transition Plan.

The current Transition Plan is posted on the website, and the public can submit comments via link to a designated ADA comments e-mail box.

The County will continue to provide the latest information for projects and policy on the webpage including updates to this plan.

GRIEVANCE PROCEDURE

Pursuant to requirements of applicable federal regulations, the Board of County Commissioners of Washington County, Maryland, has adopted this grievance procedure to provide for prompt and equitable resolution of complaints under section 504 of the Rehabilitation Act of 1973 and amendments (the “Rehabilitation Act”), and the Americans with Disabilities Act of 1990 and amendments (the “ADA”). It is intended for use by any individual who wishes to file a complaint alleging discrimination on the basis of disability in the access of facilities or provision of services, activities, programs, or benefits by the Board of County Commissioners of Washington County, Maryland. The Board of County Commissioners of Washington County, Maryland’s Personnel Policy PR-31 governs employment-related complaints of disability discrimination.

The Grievance Form should be used by any individual who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of programs, services, and benefits by the Washington County Commissioners. A complainant can request reconsideration of the case in instances where he or she is dissatisfied with the resolution. A copy of the Grievance Procedure and Complaint Form is included as Appendix C.

SELF-EVALUATION SUMMARY

The County is required under Title II of the Americans with Disabilities Act (ADA) and 28 CFR § 35.105 to perform a self-evaluation of its current transportation infrastructure policies, practices, and programs. The Self-Evaluation Plan identifies what policies and practices impact

accessibility and examines how the County implements these policies. Any barriers to accessibility identified in the Self-Evaluation Plan and the remedy to the identified barrier are set out in this transition plan, as required in 28 CFR § 35.150 (d)(3)(i). Washington County updates its inventory of pedestrian facilities within its public right-of-way every five years. The summary of the results is detailed in an appendix to the Self-Evaluation.

Overview

Title II of the ADA requires that public entities having responsibility for or authority over building, parks, facilities, streets, sidewalks, or other areas meant for public use to develop a transition plan to ensure their facilities meet the standards for program accessibility. Program accessibility means that a program, activity, or service provided to the public is accessible when viewed in its entirety.

The process of developing an ADA transition plan includes the identification of access barriers within the built environment. The transition plan for the removal of structural barriers to program access must contain the following information:

Identification of the barriers to program access;
Identification of the specific barrier removal action(s);
Identification of a schedule for barrier removal;
Identification of responsibility for ensuring barrier removal.

The transition plan addresses facilities owned and maintained by the County and is organized into two parts: 1) buildings and 2) parks and outdoor facilities.

Buildings

County buildings and indoor facilities were evaluated under the following categories as applicable:

- Approach and Entrance: Parking, Access, Routes, Curb Ramps, Ramps, Entrance
- Access to Goods and Services: Interior Accessible Route, Ramps, Elevators, Lifts, Signs, Interior Doors, Seating Benches, Service Counters
- Toilet Rooms: Accessible Routes, Signs, Entrance, Space, Sinks, Soap and Towel Dispensers, Toilets, Stalls
- Additional Access: Drinking Fountains, Telephones, Fire Alarm
- Additional Rooms: Conference Rooms, Kitchenettes, etc.

All buildings with public access were evaluated for compliance with the [2010 ADA Standards for Accessible Design - US Department of Justice](#) which are part of the [Maryland Accessibility Code Guidelines for Buildings and Facilities, COMAR 09.12.53](#).

The work includes evaluation of parking lots, path of travel from the parking lot to the building, access into the building, accessible routes in the building or facility, signage, drinking fountains,

telephones, bathrooms, and counter heights. Any on-site sidewalk and associated curb ramps, ramps, stairs, and other paths of travel required to be ADA compliant were also evaluated.

Parks and Outdoor Facilities

County parks are home to playgrounds, pavilions, picnic areas, walking trails, and ball fields. Just as with other openly accessible public properties, the ADA requires parks and recreational facilities to be fully accessible to those people with disabilities.

All parks and outdoor facilities were evaluated for compliance with the [2010 ADA Standards for Accessible Design - US Department of Justice](#), as well as other specialized guidance documents that assisted in the evaluation of parking lots, path of travel from the parking lot to the park amenities, access into facilities, signage, drinking fountains, and restrooms. On-site sidewalk and associated curb ramps, ramps, stairs, and other paths of travel required to be ADA compliance were also evaluated.

Beyond the 2010 Standards, several other documents were referenced during the Self-Evaluation of parks/facilities throughout the County: [Accessibility Guidelines for Play Areas](#), [Guide on Accessibility Standards for Federal Outdoor Developed Areas](#), and the [Accessible Sports Facilities Guide](#).

TRANSITION PLAN IMPLEMENTATION

Title II of the ADA requires that public entities having responsibility for or authority over buildings, parks/outdoor facilities, streets, sidewalks, and/or other areas meant for public use develop a transition plan to ensure their facilities meet the standards for program accessibility.

METHODS USED TO IMPROVE ACCESSIBILITY

Low-Cost Improvements

A sound policy is to prioritize initial access to buildings and facilities for community members that require accessible features. This strategy addresses building and facility entrances and access points, such as: accessible parking, accessible pedestrian routes to main entrances, entry walkway, doorways, and ramps.

It is also common to develop a stand-alone initiative for low-cost improvements such as signage, replacing door handles, dispensers, sink knobs, parking lot striping, and other items that require little investment but could bring a building or facility closer to compliance. This may be the first step taken in an ADA Transition Plan in advance of higher cost improvements that need to be scheduled in the County's Capital Improvement Plan.

Capital Improvement Program

The County has developed an ADA Capital Improvement Program to implement the ADA Transition Plan by providing systemic improvements to existing pedestrian facilities with new accessible facilities. Projects in this program will be prioritized by the methods described herein. The projects developed through this program will be stand-alone ADA improvement projects and will be built by public contract. The goal of the ADA Capital Improvement Program is to have several projects each year according to the priorities and budgeted funding.

Funding Opportunities

This County identifies that \$50,000 to \$100,000 annually through fiscal year 2033 will be committed to the correction of ADA deficiencies. The funding for corrective measures comes from the Capital Improvement Plan (General Fund or Grant Funds) as it annually commits funds to Systemic Improvement projects for building and parks improvements.

Prioritization

After collecting a detailed inventory of existing facilities as part of the Self-Evaluation data, the County needed a way to compare these facilities for deficiencies and ultimately determine a process for planning improvement projects.

The primary goal of this ADA Transition Plan is to identify and remove all barriers at County-owned buildings and parks/outdoor facilities. While it is critical to remove barriers and provide accessibility to all individuals with disabilities, it is simply not feasible to immediately eliminate all barriers. Therefore, it is necessary to have a system for prioritizing needed improvements to best utilize available resources.

The schedule for removing barriers at County-owned buildings and parks/outdoor facilities included as Appendix E was developed using guidelines identified in Title II regulation §35.150. For each facility, compliance and accessibility issues were identified and prioritized based on the following table.

Priority	Criteria
1 (high)	Complaint known or imminent danger present
2 (high)	Issues with parking and exterior accessible routes (DOJ level 1) – severely out of compliance and is near a hospital, school, transit stop, govt. bldg., or other pedestrian attractor
3 (high)	Issues with parking and exterior accessible routes (DOJ level 1) – severely out of compliance and is not near a hospital, school, transit stop, govt. bldg., or other pedestrian attractor
4 (high)	Issues with parking or exterior conditions (DOJ level 1) – moderately out of compliance
5 (medium)	Issues with access to goods and services (DOJ level 2) – severely out of compliance
6 (medium)	Issues with: • Parking and exterior routes (DOJ level 1) – minimally out of compliance; • Access to goods and services (DOJ level 2) – moderately out of compliance; OR • Restrooms (DOJ level 3) – severely out of compliance
7 (medium)	Issues with: • Access to goods and services (DOJ level 2) – minimally out of compliance; • Restrooms (DOJ level 3) – moderately out of compliance; OR • Drinking fountains or public phones (DOJ level 4 & 5) – severely out of compliance
8 (medium)	Issues with drinking fountains or public phones (DOJ level 4 & 5) - moderately out of compliance
9 (low)	Issues with restrooms (DOJ level 3) – minimally out of compliance
10 (low)	Issues with drinking fountains or public phones (DOJ level 4 & 5) - minimally out of compliance
11 (low)	• De minimus barrier; • Client is a Title II agency; AND • Element is out of compliance, but may be handled with a programmatic change or employee request for accommodation
12 (low)	Element is fully compliant with an previous standard (safe-harbor), but must comply with current standards if altered

IMPLEMENTATION SCHEDULE

Title II regulations state that if a transition plan will take more than one year to fully implement, it must contain interim steps to provide program accessibility. Based on a diligent effort by County staff, the Plan proposes a 10-year strategy for removing barriers at County-owned buildings and parks/outdoor facilities. The barrier removal strategy incorporates flexibility in the process and allows the County to respond to new opportunities as they arise. The County reserves the right to modify barrier removal priorities to allow flexibility in accommodating community requests, petitions for reasonable modifications from people with disabilities, changes in County programs, and funding opportunities and constraints. For the most current status of the remediation of barriers, contact the County's ADA Implementing Official.

Washington County will allocate \$50,000 to \$100,000 per year for building and park/outdoor facility improvements utilizing Systemic Improvements funding in the County's Capital Improvement Plan.

ADA Responsibilities

The County has various responsibilities under Title II of the ADA. Title II is similar to Section 504 of the Rehabilitation Act of 1973 but differs in that Section 504 applies only to government agencies that receive federal financial assistance. The purpose of Section 504 is to ensure that no otherwise qualified individual with disabilities shall, solely by reason of disability, be discriminated against under any program or activity receiving federal financial assistance. The ADA states intent not to apply lesser standards than are required under other federal, state or local laws; therefore, the law that is the most stringent takes precedence.

Title II also mandates that County governments may not require eligibility criteria for participation in programs and activities that would screen persons with disabilities, unless it can be proven that such requirements are necessary for the mandatory provision of the service or program. A public entity must reasonably modify its policies and procedures to avoid discrimination toward disabled residents. Nevertheless, if the public entity can demonstrate that a modification fundamentally would alter the nature of its service, it would not be required to make that modification. Title II also discusses the use of auxiliary aids necessary to enable persons who have visual, hearing, mobility or similar impairments to gain access to programs and activities provided by the County so as to make an appropriate reasonable accommodation.

Undue Burden

There are limits to a public entity's program access obligations. Under Title II of the ADA public entities are not required to take any action that would result in undue financial or administrative burden. Undue burden is defined in the ADA as an "action requiring significant difficulty or expense" when considering the nature and cost of the accommodation in relation to the size, resources and structure of the specific operation. Undue burden is determined on a case-by-case basis. The decision that an action would result in an undue burden must be made by the head of the entity or other senior official who has budgetary authority and responsibility for making spending decisions, after considering all resources available for use in the funding and operation of the service, program, or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action would result in an undue burden, a public entity must take any other action that would not result in an undue burden but would nevertheless ensure that individuals with disabilities receive the benefits or services provided by the public entity. The determination that an undue financial burden would result must be based on an evaluation of all resources available for use in a program.

The County has an ongoing obligation to make programs and services accessible to people with disabilities. This means that if many access improvements are needed, and there are insufficient resources to accomplish them in a single year, they can be spread out over time. It also means that rising or falling revenues can affect whether or not an access improvement can be completed in a given year. What might have been seen as an undue burden during an economic downturn could become possible when the economy improves and revenues increase. Similarly, some projects may be administratively burdensome to undertake in certain busy times of the year. These may be deferred for a time until staff schedules are more accommodating. Periodic review

of the County's Transition Plan, taking financial resources time constraints into account, aids to reassess what steps may be taken to make programs and services accessible.

Fundamental Alteration

There are additional limits to a public entity's program access obligations. Under Title II of the ADA, a public entity is not required to take any action that will result in a fundamental alteration to the program, service, or activity. If achievement of overall program accessibility demonstrably alters the program or service fundamentally, alternative means of achieving compliance must be sought to ensure that people with disabilities can participate in or receive the benefits of the program or activity. If the County claims that any action would constitute a fundamental alteration to programs or services, the County would be required to demonstrate that such alteration would result. The decision that an action would constitute a fundamental alteration must be made by the County Administrator, or his or her designee, after considering all funds and alternatives available and must be accompanied by a written statement of the reasons for reaching that conclusion.

Physical Accessibility and the Provisions of Safe Harbor

Though structural changes are not required where other solutions are feasible, many of the most apparent changes in service provision require structural changes to eliminate barriers. The 2010 ADA Standards introduced the concept of "safe harbor", which allows facilities built prior to March 15, 2012, that comply with the 1991 ADA Standards to remain as-is until the structural feature is altered. For example, the 1991 Standards allowed a 54-inch maximum for a side reach range, and the 2010 Standards lowered the side reach range to 48 inches maximum. Items positioned at the 54-inch height would fall under safe harbor if built before March 15, 2012, until the time of an alteration. The exception applies to elements that might otherwise have to be modified to bring the facility into ADA compliance: 1) the program access requirement for public entities; 2) the readily achievable barrier removal requirement for places of public accommodation; or 3) the path of travel requirement for any alteration that affects the usability of a primary function area in any covered facility.

In addition to the exceptions, Title II regulations specify structural elements not previously included in the 1991 ADA Standards that do not fall under the safe harbor provision:

§ 35.150(b)(2)(ii) The safe harbor provided in § 35.150(b)(2)(i) does not apply to those elements in existing facilities that are subject to supplemental requirements (i.e., elements for which there are neither technical nor scoping specifications in the 1991 Standards). Elements in the 2010 Standards not eligible for the element-by-element safe harbor are identified as follows—

- (A) Residential facilities dwelling units, sections 233 and 809.
- (B) Amusement rides, sections 234 and 1002; 206.2.9; 216.12.
- (C) Recreational boating facilities, sections 235 and 1003; 206.2.10.
- (D) Exercise machines and equipment, sections 236 and 1004; 206.2.13.
- (E) Fishing piers and platforms, sections 237 and 1005; 206.2.14.

- (F) Golf facilities, sections 238 and 1006; 206.2.15.
- (G) Miniature golf facilities, sections 239 and 1007; 206.2.16.
- (H) Play areas, sections 240 and 1008; 206.2.17.
- (I) Saunas and steam rooms, sections 241 and 612.
- (J) Swimming pools, wading pools, and spas, sections 242 and 1009.
- (K) Shooting facilities with firing positions, sections 243 and 1010.
- (L) Miscellaneous.
 - (1) Team or player seating, section 221.2.1.4.
 - (2) Accessible route to bowling lanes, section. 206.2.11.
 - (3) Accessible route in court sports facilities, section 206.2.12.

CONCLUSION

Programs, services, and activities were reviewed for compliance with ADA guidelines in developing the Transition Plan, and a Self-Evaluation was conducted on County-owned buildings and parks/outdoor facilities. The findings were prioritized, and an implementation plan was developed to provide guidance for completing the County's improvement projects in the coming years. Public outreach was also conducted to aid in the development of the plan. The County will continue to look for and remedy barriers to access to ensure that citizens who are disabled are given access to programs, services, and activities.

Appendix A

PROGRAM RESPONSIBILITY

The officials responsible for ADA Compliance in Washington County are:

ADA Compliance Coordination:

Interim Director of Human Resources/
Interim ADA Title II Compliance Coordinator
Human Resources Department
Kendall Desaulniers
100 W. Washington Street, Room 251
Hagerstown, MD 21740
Phone: (240) 313-2232
Email: kdesaulniers@washco-md.net

Implementation of the County's ADA Transition Plan for buildings and parks/outdoor facilities:

Director, Division of Public Works
Andrew Eshleman
100 W. Washington Street
Hagerstown, MD 21740
Phone: (240) 313-2252
Email: aeshleman@washco-md.net

Implementation of the County's ADA Transition Plan in public right-of-way, sidewalks, curb ramps, traffic signals/intersections, (addressed in a separate plan):

Director, Division of Engineering
Scott Hobbs
747 Northern Avenue
Hagerstown, MD 21742
Phone: (240) 313-2407
Email: shobbs@washco-md.net

Appendix B

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Board of County Commissioners of Washington County, Maryland, and Washington County, Maryland (collectively, "County"), will not discriminate against qualified individuals with disabilities on the basis of disability in the access of facilities or provision of County services, activities, programs, or benefits.

Employment: The County 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 County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate in the County's programs, services, and activities, including qualified sign language interpreters, audio recordings of meetings or programs, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The County will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of the County's services, activities, programs, and benefits. For example, individuals with service animals are welcomed in the County's 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 County program, service, or activity, should contact the office of Kendall Desaulniers, ADA Title II Coordinator for Washington County, Maryland, at 100 West Washington Street, Hagerstown, Maryland 21740, telephone (240)-313-2232, email kdesaulniers@washco-md.net, as soon as reasonably possible before the scheduled event.

The ADA does not require the County to take any action that would fundamentally alter the nature of its services, activities, programs, or benefits, or that would impose an undue financial or administrative burden on the County.

Grievance Procedure: Complaints that a County facility, service, activity, program, or benefit is not accessible to persons with disabilities on the basis of disability discrimination should be directed to Kendall Desaulniers, ADA Title II Coordinator for Washington County, Maryland, at 100 West Washington Street, Hagerstown, Maryland 21740, telephone (240)-313-2232. Detailed information about filing a complaint is contained in the County's Grievance Procedure under the Americans with Disabilities Act.

The County 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 or 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 C

Complaint/Grievance Policy

Washington County has updated the internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act (ADA). Title II states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination" in programs or activities sponsored by a public entity.

Complaints related to the Title II of the ADA should be addressed to the Human Resources Services Department Director, Kendall Desaulniers, (240-313-2232, kdesaulniers@washco-md.net). Ms. Desaulniers is responsible for County-wide ADA compliance.

1. A complaint must be filed in writing and must contain the name and address of the person filing it and a brief description, including the date and location, of the alleged violation. If necessary, an alternative means of filing the complaint or receiving the response may be requested.
2. Complaints should be filed in as timely a manner as possible but no later than 60 business days after the alleged violation.
3. An investigation by the ADA Compliance Officer or designee, as may be appropriate, shall follow a filing of complaint. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
4. The ADA Compliance Officer or designee will provide a response in writing, or in an alternative format if requested, to the complainant within 30 business days after the complaint is received.
5. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made in writing, or in an alternative format upon request, to the County Administrator within 30 business days of receiving the ADA Compliance Officer's decision.
6. The County Administrator or designee will review the complaint, conduct an additional investigation if appropriate, and respond to the complainant in writing, or in an alternative format upon request, within 30 business days after receipt of the request for reconsideration. A copy of the County Administrator's response will be forwarded to the ADA Compliance Officer.
7. The ADA Compliance Officer will maintain copies of all written ADA complaints, appeals to the County Administrator, and responses from these two offices for at least 3 years.
8. These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure that Washington County complies with the ADA and implementing regulations.
9. Use of this grievance process does not preclude the complainant from filing an administrative complaint with the designated federal agency or filing a lawsuit for injunctive relief and damages. An individual may choose to pursue any or all of these methods.

Washington County, Maryland ADA/504 Complaint/Grievance Form

Name of Complainant: _____ Date: _____

Name of person preparing form, if different: _____

Contact Information:

P.O. Box/Apartment/Unit Number: _____

Street: _____

City: _____ State: _____ Zip: _____

Phone: _____ E-mail: _____

Best means of
contact: _____

Complaint/Grievance:

What is the nature of your complaint or grievance? Please include the date and location of the matter.
Please attach any related documents or additional materials (photographs, etc.) that relate to your case.

Location Information

Street: _____ Nearest house number _____

City/Community Name: _____ Zip: _____

Do you prefer any special accommodations that will assist us in contacting you?

Signature of Complainant/Preparer

Date

Return this form to: Kendall Desaulniers
Interim ADA Title II Coordinator
Human Resources Department
100 West Washington Street
Hagerstown, MD 21740

Phone: (240) 313-2232
Fax: (240) 313-2351
kdesaulniers@washco-md.net
TTY: Use Maryland Relay

APPENDIX D – STANDARDS

https://www.ada.gov/2010ADASTandards_index.htm

<https://www.ada.gov/>



Information and Technical Assistance on the Americans with Disabilities Act

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Design Standards

Technical Assistance Materials

Enforcement



**2010 ADA
Standards for
Accessible
Design - html**

**2010 Standards -
PDF (screen
quality)**

**2010 Standards -
PDF (print quality)**

**Guidance on the
2010 ADA
Standards for
Accessible
Design - html**

**Guidance - PDF
(screen quality)**

**Guidance - PDF
(print quality)**

ADA Standards for Accessible Design



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 for Accessible Design**, "2010 Standards." On March 15, 2012, compliance with the 2010 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 Standards for program accessibility and barrier removal.

The **1991 ADA Standards for Accessible Design**, printed as Appendix A of the title III regulation in the Code of Federal Regulations, July 1, 1994 could be used for new construction and alterations under Titles II and III until March 14, 2012.

The Department has assembled an official online version of the 2010 Standards to bring together the information in one easy-to-access location. It provides the scoping and technical requirements for new construction and alterations resulting from the adoption of revised 2010 Standards in the final rules for Title II (28 CFR part 35) and Title III (28 CFR part 36).

The Department has also compiled **Guidance on the 2010 Standards** from the revised regulations for Titles II and III. This explanatory information from the regulations addresses the scoping and technical provisions of the 2010 Standards.

If you have questions about the ADA Standards and want to talk to a Department of Justice ADA Information Specialist, go to the **ADA Information Line** page for the Department's toll-free telephone numbers and times of operation.



En Español

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Guide to the ADA Accessibility Standards

This guide explains requirements in the current editions of the [ADA Standards](#) issued by the Department of Justice (DOJ) and the Department of Transportation (DOT). It was developed by the U.S. Access Board in cooperation with DOJ and DOT. It is important to use this guide along with a complete copy of the ADA Standards as it explains, but does not contain or reprint, the text of the ADA Standards.

DOJ updated its [ADA Standards](#) in 2010, which are referred to as the 2010 ADA Standards for Accessible Design. These standards, which replace the original ADA Standards DOJ issued in 1991, became mandatory for newly constructed and altered facilities as of March 15, 2012. DOJ's ADA Standards apply to all facilities covered by the ADA except public transit facilities.

DOT issued its current edition of the [ADA Standards for Transportation Facilities](#) in 2006. These standards apply to facilities used by state and local governments to provide public transportation. They became effective on November 29, 2006 and replace earlier standards issued by DOT in 1991.

The current DOJ and DOT ADA Standards are very similar as both documents are closely based on the Access Board's ADA Accessibility Guidelines (2004). This guide explains requirements of both standards, which are jointly referred to as the "ADA Standards" or "the standards." Most provisions of each standard are identical and discussed in this guide without distinction. Both standards contain several unique provisions not found in the other. In these limited areas, the guide notes the differences and explains how they are to be applied. This guide does not cover requirements of the original 1991 ADA Standards issued by DOJ or DOT.

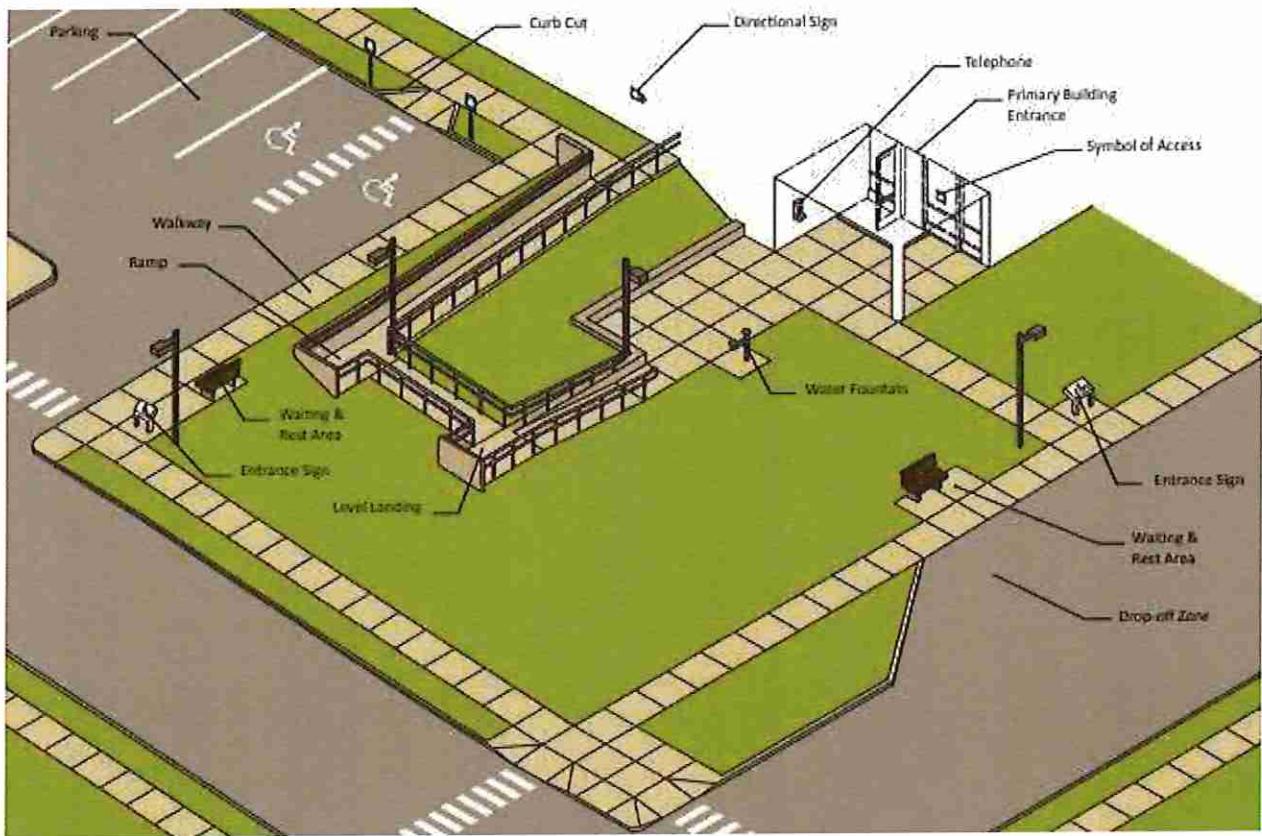
In addition to explaining the requirements of the standards, this guide also provides clearly labeled recommendations for best practices that exceed the minimum requirements and are thus optional to follow. In addition, the guide provides links to other federal accessibility requirements that may also apply to entities covered by the ADA.

Maryland Accessibility Code - Building Code Administration

The State has adopted the Fair Housing Amendments Accessibility Guidelines as well as some additional requirements unique to Maryland. The 2010 ADA Standards for Accessible Design is part of the Maryland Accessibility Code and it becomes effective on January 1, 2012 in Maryland. Links are provided to the U.S. Department of Justice and to the U.S. Department of Housing and Community Development for information of their requirements. Local jurisdictions may not modify this code to a lesser requirement.

- [Maryland Accessibility Code Guidelines for Buildings and Facilities, COMAR 09.12.53](#) (an official copy is available at the [Department of State Documents website](#).)
- [Parking Signs \(COMAR 09.12.53.12\)](#)
- [2010 ADA Standards for Accessible Design - US Department of Justice](#)
- [US Department of Housing and Urban Development - Fair Housing Amendments Act - Training and Technical Resources](#)
- [Maryland Accessibility Code Waiver Request Form \(Word\)](#)
- [Americans with Disabilities Act - U.S. Department of Justice](#)
- [United States Access Board](#) provides technical assistance for the ADA Accessibility Guidelines.

ADA Site Connection:



Site Connections

The route between accessible parking spaces and the building entrance must be carefully planned to minimize the travel distance for a disabled person and to avoid obstacles and hazards. The maximum distance should be no greater than 100 ft (30.5 m).

Ramps

Providing accessibility along walkways and across sites with significant changes in elevation is sometimes challenging. A ramp is defined as any part of the AR that exceeds a 1:20 grade. Ramps allow accessibility where grades exceed 1:20 or 5 percent.

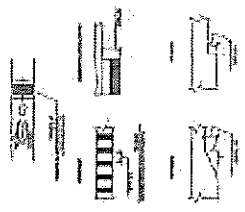


FIG. 1. EXTERIOR ELEVATION

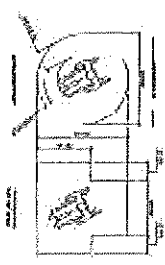


FIG. 2. SECTION THROUGH BUILDING

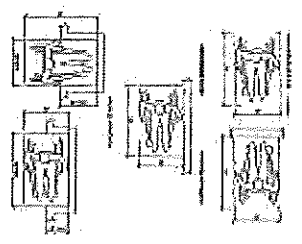


FIG. 3. INTERIOR ELEVATION

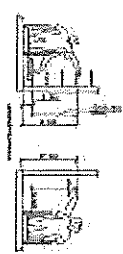
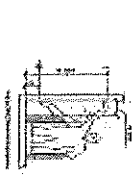
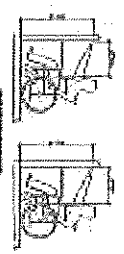


FIG. 4. SECTION THROUGH BUILDING

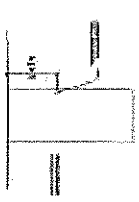
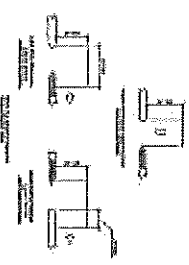
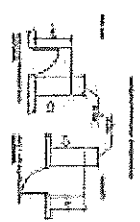


FIG. 5. SECTION THROUGH BUILDING

ADA DETAILS

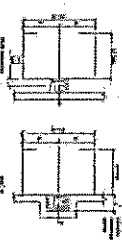
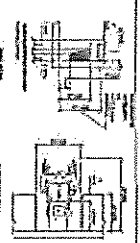
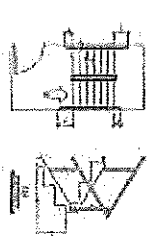
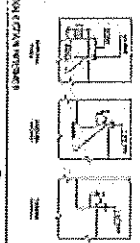


FIG. 6. SECTION THROUGH BUILDING

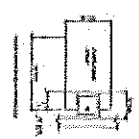
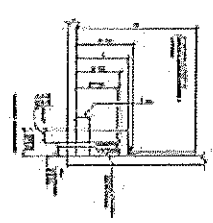
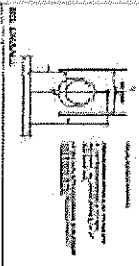
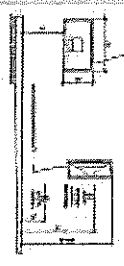
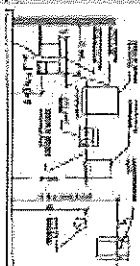


FIG. 7. SECTION THROUGH BUILDING

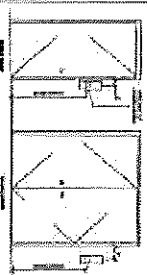
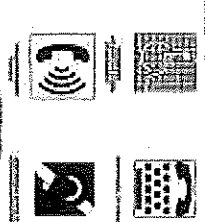
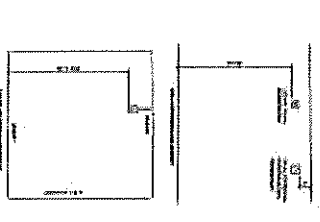
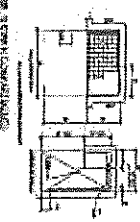
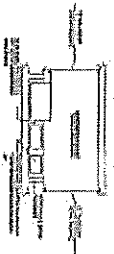


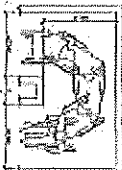
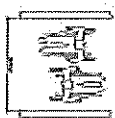
FIG. 8. SECTION THROUGH BUILDING



3-Panel Sliding Glass Door



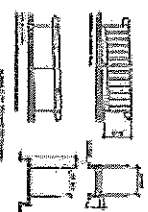
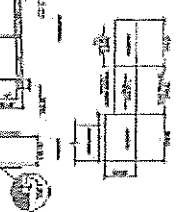
2-Panel Sliding Glass Door



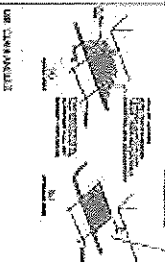
2-Panel Sliding Glass Door



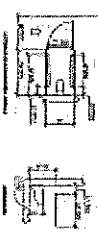
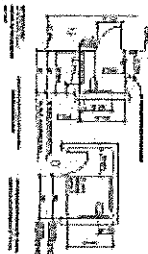
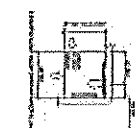
2-Panel Sliding Glass Door



2-Panel Sliding Glass Door



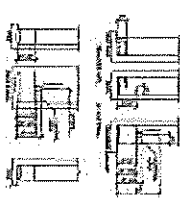
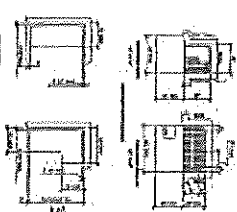
2-Panel Sliding Glass Door



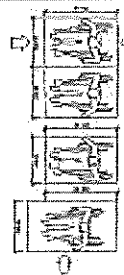
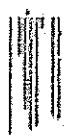
2-Panel Sliding Glass Door



2-Panel Sliding Glass Door



2-Panel Sliding Glass Door

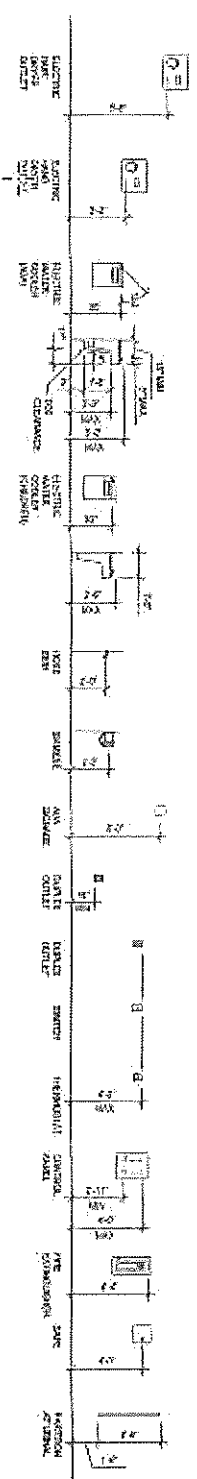
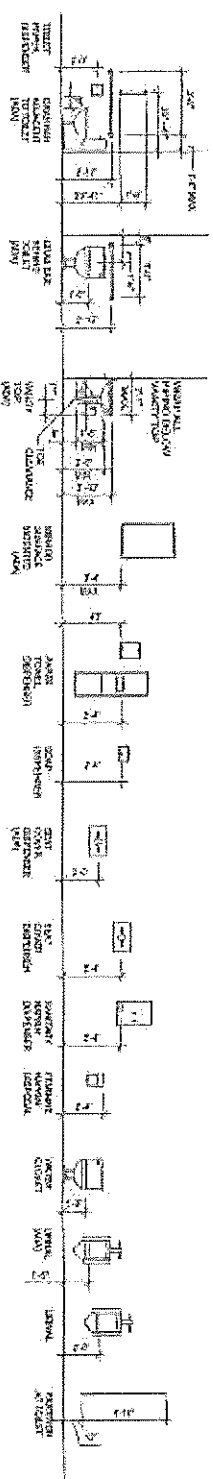
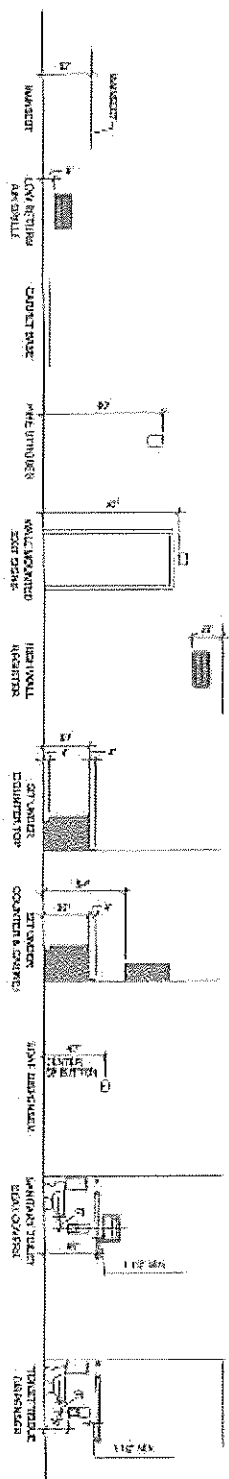


2-Panel Sliding Glass Door



ADA DETAILS





MOUNTING HEIGHTS

Appendix E

Schedule of Improvements - Buildings

Note: All lower priority items will be completed within the next 5 years by County maintenance crews.

Buildings

FY	Location	Condition	Recommended Improvements	Estimated Cost
FY24	Central Highways Building	1H, 2H, 4H, 5M, 6M, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$81,835.00
FY24	Western Highways Building	1H, 2H, 5M, 6M, 7M	See recommendations on Self-Evaluation sheets.	\$7,700.00
FY25	Martin Luther King, Jr. Community Center	1H, 4H, 5M, 6M, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$34,945.00
FY25	Doubs Woods Parks Building	1H, 4H, 5M, 6M, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$53,500.00
FY26	Central Library	2H, 4H, 6M, 7M, 8M, 9L, 11L	See recommendations on Self-Evaluation sheets.	\$3,775.00
FY26	Elliott Parkway Main Building	2H, 4H, 6M, 7M, 8M, 9L, 11L	See recommendations on Self-Evaluation sheets.	\$51,525.00
FY26	Elliott Parkway - Collections Building	2H, 5M, 6M, 7M	See recommendations on Self-Evaluation sheets.	\$1,875.00
FY27	Dwyer Center	2H, 5M, 6M, 7M, 8M	See recommendations on Self-Evaluation sheets.	\$65,600.00
FY28	Transit Building	2H, 6M, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$34,410.00
FY29	Washington County Administration Building	4H, 6M, 7M, 5M, 9L, 10L	See recommendations on Self-Evaluation sheets.	\$70,215.00
FY30	Eastern Highways Building	4H, 5M, 6M, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$21,265.00
FY30	Southern Highways Building	4H, 5M, 6M, 7M	See recommendations on Self-Evaluation sheets.	\$2,600.00
FY30	Day Reporting Center - IKO Way	4H, 5M, 6M, 7M, 9L, 10L	See recommendations on Self-Evaluation sheets.	\$6,070.00
FY30	Senior Center - Commission on Aging	4H, 6M, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$500.00
FY30	747 Northern Avenue - Administrative Annex	4H, 6M, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$12,950.00
FY30	Clear Spring Library	4H, 6M, 7M	See recommendations on Self-Evaluation sheets.	\$28,650.00
FY30	Smithsburg Library	4H, 6M, 9L	See recommendations on Self-Evaluation sheets.	\$1,600.00
FY31	Detention Center	4H, 5M, 7M, 8M, 9L	See recommendations on Self-Evaluation sheets.	\$84,250.00
FY31	Day Reporting Center	4H, 5M, 6M, 7M, 9L, 10L	See recommendations on Self-Evaluation sheets.	\$6,070.00
FY32	Hagerstown Regional Airport	4H, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$17,300.00
FY32	Landfill Office	5M, 6M, 9L, 11L	See recommendations on Self-Evaluation sheets.	\$2,460.00
FY32	Court House	5M, 6M, 7M, 9L, 10L	See recommendations on Self-Evaluation sheets.	\$24,695.00
FY33	Washington County Office Building	5M, 6M, 7M, 9L, 10L	See recommendations on Self-Evaluation sheets.	\$55,675.00
FY33	Boonsboro Library	6M, 7M, 9L, 10L	See recommendations on Self-Evaluation sheets.	\$10,090.00
FY33	Black Rock Golf Course	6M, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$600.00
FY33	Senior Center - Commission on Aging - Fitness Center	6M, 7M, 9L, 10L	See recommendations on Self-Evaluation sheets.	\$600.00
FY33	Agricultural Education Center UMD Extension	6M, 9L, 10L	See recommendations on Self-Evaluation sheets.	\$320.00
FY33	Agricultural Multipurpose Building	6M, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$835.00
FY33	Agricultural Center Kennel Building	6M, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$225.00

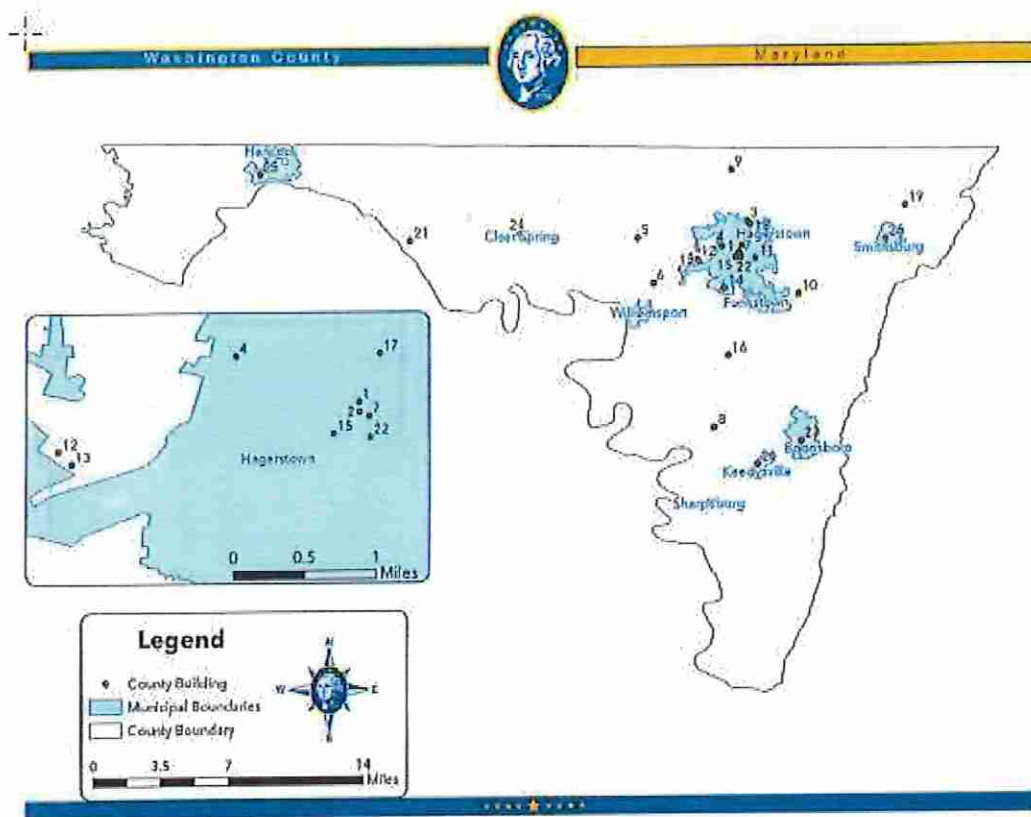
TOTAL \$682,135.00

Parks/Outdoor Facilities

FY	Location	Condition	Recommended Improvements	Estimated Cost
FY24	Rose's Mill Park	2H, 3H, 6M	See recommendations on Self-Evaluation sheets.	\$6,100
FY24	Tammany Park	2H, 6M	See recommendations on Self-Evaluation sheets.	\$45,500
FY25	Pleasant Valley Park	2H, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$15,320
FY25	Piper Lane Neighborhood Park	2H, 6M, 7M	See recommendations on Self-Evaluation sheets.	\$51,250
FY26	Mt. Briar Wetland Preserve	2H, 3H, 4H, 7M	See recommendations on Self-Evaluation sheets.	\$118,400
FY27	Wilson Bridge Picnic Area	2H, 6M	See recommendations on Self-Evaluation sheets.	\$16,600
FY28	Woodland Way Neighborhood Park	2H, 6M	See recommendations on Self-Evaluation sheets.	\$95,900
FY29	Devils Backbone Dam	3H, 4H, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$55,120
FY30	Agricultural Center	3H, 4H, 6M, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$11,520
FY30	Doubs Woods Park	3H, 4H, 9L	See recommendations on Self-Evaluation sheets.	\$15,060
FY30	Agricultural Center	3H, 4H, 6M, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$11,520
FY30	Pen Mar Park	4H, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$12,380
FY30	Washington County Regional Park	4H, 6M, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$11,470
FY31	Marty Snook Park	4H, 6M, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$57,965
FY32	Chestnut Grove Park	4H, 6M, 9L	See recommendations on Self-Evaluation sheets.	\$5,350
FY32	Kemps Mill Park	6M, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$1,205
FY32	Camp Harding Park	6M, 9L	See recommendations on Self-Evaluation sheets.	\$10,025
FY32	Clear Spring Park	6M, 7M, 8M, 9L	See recommendations on Self-Evaluation sheets.	\$3,555
FY32	Pinesburg Softball Complex	6M, 7M, 9L	See recommendations on Self-Evaluation sheets.	\$1,025

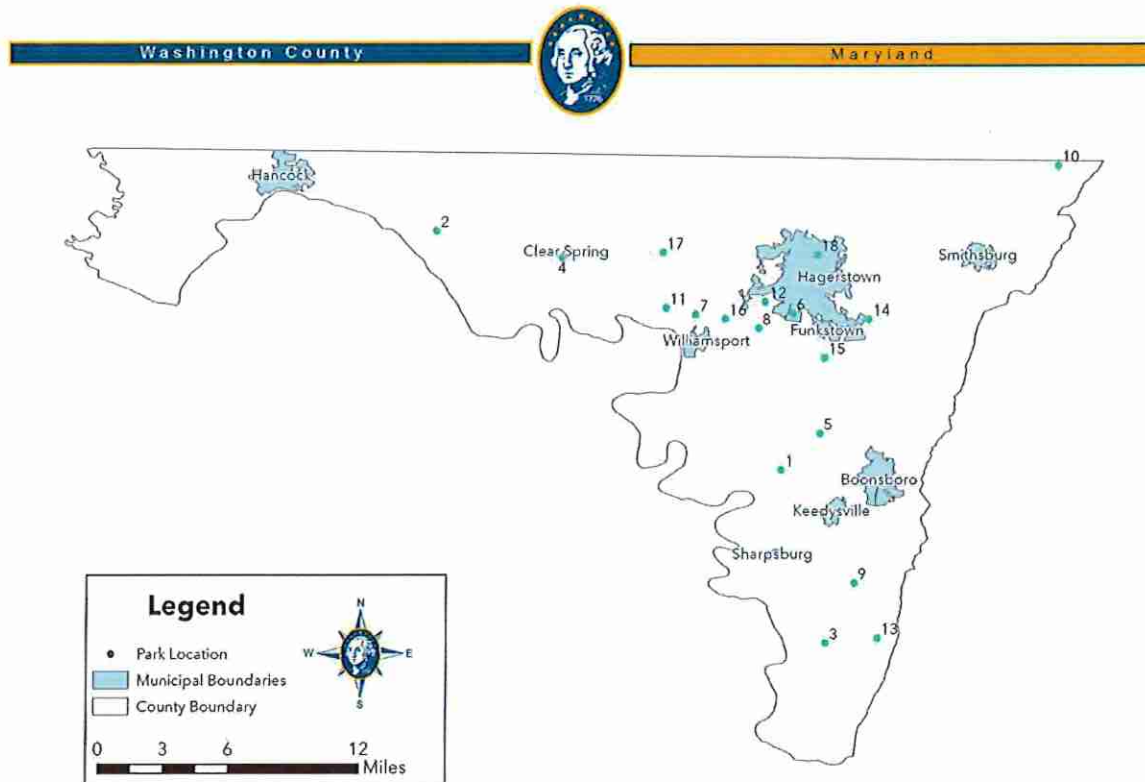
TOTAL \$545,265

Appendix F



Object ID	Building
1	Washington County Administration Building
2	Washington County Court House
3	Washington County Administrative Annex
4	Washington County Transit Building
5	Forty West Landfill Office Building
6	Washington County Water Quality & Environmental Management
7	Washington County Office Building
8	Washington County Agricultural Education Center
9	Hagerstown Regional Airport
10	Black Rock Golf Course Clubhouse
11	Washington County Commission on Aging
12	Washington County Detention Center
13	Washington County Public Facilities Annex
14	Parks / Facilities Administrative Office Building
15	Dwyer Center
16	Public Safety Training Center
17	Martin Luther King Jr. Community Center
18	Washington County Central Section Highways Building
19	Washington County Eastern Section Highways Building
20	Washington County Southern Section Highways Building
21	Washington County Western Section Highways Building
22	Washington County Free Library
23	Boonsboro Library
24	Leonard P. Snyder Memorial Library
25	Hancock Veterans Memorial Branch Library
26	Washington County Free Library Smithsburg Branch

Appendix G



Object Number	Park
1	Agriculture Education Center
2	Camp Harding Park
3	Chestnut Grove Park
4	Clear Spring Park
5	Devil's Backbone Park
6	Doub's Woods Park
7	Kemps Mill Park
8	Martin "Marty" L. Snook Memorial Park
9	Mt. Briar Wetland Preserve
10	Pen Mar Park
11	Pinesburg Softball Complex
12	Piper Lane Neighborhood Park
13	Pleasant Valley Park
14	Regional Park
15	Rose's Mill Park
16	Tammany Park
17	Wilson Bridge Picnic Area
18	Woodland Way Neighborhood Park