



Americans With Disabilities Act Self-evaluation and Transition Plan



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Executive Summary

City of Federal Heights

The City of Federal Heights (City) is a Home Rule Municipality located in western Adams County, Colorado, United States. Federal Heights is a part of the Denver–Aurora–Lakewood, CO Metropolitan Statistical Area.

As of the 2010 census, the city had a population of 11,467, although 2019 updated numbers indicate 12,827 people live in the city. The 2019 update also identified approximately 1,040 people under age 65 with a disability, or 8.1% of the City's total population.

The current Mayor is Linda S. Montoya, who was elected to a four-year term in 2019.

Introduction to the Americans With Disabilities Act

More than 61 million Americans have disabilities. This represents 26% of the U.S. population or 1 in 4 Americans. People with disabilities in Federal Heights, like all Americans, participate in a variety of programs, services, and activities provided by the City. This includes many people who became disabled while serving in the military. Additionally, by the year 2030, approximately 71.5 million baby boomers will be over age 65 and will need services and surroundings that meet their age-related physical needs.

People with disabilities have often been excluded from enjoying basic civic activities like using public transportation, serving on a jury, voting, seeking refuge at an emergency shelter, or simply attending their child's or grandchild's school events. The Americans with Disabilities Act (ADA) is a Federal civil rights law that prohibits discrimination against people with disabilities. Under the ADA, people with disabilities are entitled to all the rights, privileges, advantages, and opportunities that others have when participating in civic activities.

The Americans with Disabilities Act (ADA) became effective on July 26, 1990, and it extended legislation intended to eliminate discrimination against individuals with disabilities in federally funded facilities under the Rehab Act to all activities of State and local governments regardless of whether these entities receive Federal financial assistance. It provides for equal access and equal opportunities for individuals with disabilities to participate in programs, services, and activities provided by public entities such as those offered by the City of Federal Heights.

The ADA is divided into five sections, which are referred to as titles.

1. Employment (Title I)

Title I requires covered employers to provide reasonable accommodations for applicants and employees with disabilities and prohibits discrimination based on disability in all aspects of employment. Reasonable accommodation includes, for example, restructuring jobs, making worksites and workstations accessible, modifying schedules, providing services such as interpreters, and modifying equipment and policies.

2. Public Services (Title II)

Under Title II, public services (which include State and local government agencies) cannot deny services to people with disabilities or deny participation in programs or activities that are available to people without disabilities. In addition, public transportation systems, such as public transit buses, must be accessible to individuals with disabilities.

3. Public Accommodations (Title III)

Public accommodations include facilities such as restaurants, hotels, grocery stores, retail stores, etc., as well as privately owned transportation systems. Title III requires that all new construction and modifications must be accessible to individuals with disabilities. For existing facilities, barriers to services must be removed if readily achievable.

4. Telecommunications (Title IV)

Telecommunications companies offering telephone service to the public must have telephone relay service to individuals who use telecommunication devices for the deaf (TTYs) or similar devices.

5. Miscellaneous (Title V)

This title includes a provision prohibiting either (a) coercing or threatening or (b) retaliating against individuals with disabilities or those attempting to aid people with disabilities in asserting their rights under the ADA. The US Department of Justice (DOJ) revised its regulations implementing the ADA in September 2010. The new rules clarify issues that arose over the previous 20 years and contain new requirements, including the 2010 ADA Standards for Accessible Design (2010 Standards). This document provides general guidance to assist State and local governments in understanding and complying with the ADA's requirements.

For more comprehensive information about specific requirements, Federal Heights officials can consult the [ADA title II regulations](#), the [2010 ADA Standards for Accessible Design](#), and the [Department of Justice ADA technical assistance publications](#).

ADA and its Relationship to Other Laws

Title II of ADA is companion legislation to two previous federal statutes and regulations, the [Architectural Barriers Act](#) (ABA) 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.

Federal Accessibility Requirements

The US Access Board was established by section 502 of the Rehabilitation Act of 1973 (Rehab Act). The Board consists of 25 total members, 13 of which are appointed by the President from the public and which must be individuals with disabilities. The remaining 12 members are the heads of 12 Federal departments and agencies specified by statute, including the heads of the DOJ and the Department of Transportation (DOT). Originally, the Access Board was established to develop and maintain accessibility guidelines for facilities designed, constructed, altered, or leased using Federal funds under the Architectural Barriers Act of 1968 (ABA). The passage of the ADA in 1990 expanded the Access Board's responsibilities to "issue minimum guidelines that shall supplement the existing Minimum Guidelines and Requirements for Accessible Design to ensure that buildings, facilities, rail passenger cars, and vehicles are accessible, in terms of architecture and design, transportation, and communication, to individuals with disabilities".

The DOJ issues and enforces accessibility standards applicable to facilities subject to ADA title II that are consistent with the "minimum guidelines" issued by the Access Board.

The Access Board began revising their 1990 standards in 1994 by establishing an advisory committee composed of members of the design and construction industry, the building code community, and State and local government entities, as well as individuals with disabilities. In 1998, the Access Board added specific guidelines on State and local government facilities and building elements designed for use by children. Other updates to the 1990 ADA Standards have been made with the final version being compiled in the 2004 ADA/ABA Guidelines. The 2004 ADA/ABA Guidelines

were the culmination of a long-term effort to facilitate ADA compliance by eliminating inconsistencies among Federal accessibility requirements (ADA & ABA Standards) and between Federal accessibility requirements and State and local building codes. In support of this effort, the US DOJ amended its regulation implementing title II and adopted standards consistent with 2004 ADA/ABA Guidelines, naming them the 2010 ADA Standards for Accessible Design.

On March 15, 2011, the final rule on the 2010 ADA Standards for Accessible Design became effective to revise the 1990 regulations that implement title II of the ADA that prohibit discrimination based on disability in State and local government services. The final rule was issued to adopt enforceable accessibility standards under the ADA that are more consistent with the minimum guidelines and requirements issued by the Access Board, and to update or amend certain provisions of the title II regulation so that they better reflect the Department's legal and practical experiences in enforcing the ADA since 1991. These new regulations provide a higher degree of clarity to State and local agencies who put forth the effort to comply with the spirit and intent of the ADA.

ADA Self-Evaluation and Transition Plan Requirements

Title II of the ADA applies to all State and local governments and all departments, agencies, special purpose districts, and other instrumentalities of State or local government ("public entities"). It applies to all programs, services, or activities of public entities, from adoption services to zoning regulation. Title II entities that contract with other entities to provide public services, such as non-profit organizations that operate drug treatment programs, also have an obligation to ensure that their contractors do not discriminate against people with disabilities.

Access to civic life by people with disabilities is a fundamental goal of the Americans with Disabilities Act (ADA). To ensure that this goal is met, Title II of the ADA requires Federal Heights to make its programs and services accessible to persons with disabilities. This requirement extends not only to physical access at Federal Heights government facilities, programs, and events -- but also to policy changes that Federal Heights must make to ensure that all people with disabilities can take part in, and benefit from, Federal Heights programs and services. In addition, Federal Heights must ensure effective communication -- including the provision of necessary auxiliary aids and services -- so that individuals with disabilities can participate in Federal Heights' civic activities.

ADA Title II Exceptions

The ADA does not require the City to make each existing facility accessible.

Title II requires city governments to ensure that all their programs, services, and activities, when viewed in their entirety, are accessible to people with disabilities. Program access is intended to remove physical barriers to city services, programs, and activities, but it generally does not require that a city government make each facility, or each part of a facility, accessible. For example, each restroom in a facility need not be made accessible. However, signage directing people with disabilities to the accessible features and spaces in a facility should be provided. Program accessibility may be achieved in a variety of ways. City governments may choose to make structural changes to existing facilities to achieve access. But city governments can also pursue alternatives to structural changes to achieve program accessibility. For example, city governments can move public meetings to accessible buildings and can relocate services for individuals with disabilities to accessible levels or parts of buildings. When choosing between possible methods of program accessibility, however, city governments must give priority to the choices that offer services, programs, and activities in the most integrated setting appropriate. In addition, all newly constructed city facilities must be fully accessible to people with disabilities.

When programs, services, or activities are in City facilities, Federal Heights must make sure that they are also available to persons with disabilities, unless to do so would fundamentally alter a program, service, or activity or result in undue financial or administrative burdens. When a service, program, or activity is in a building that is not accessible, Federal Heights can achieve program accessibility in several ways. It can:

- Relocate the program or activity to an accessible facility.
- Provide the activity, service, or benefit in another manner that meets ADA requirements.
- Make modifications to the building or facility itself to provide accessibility.

To achieve program accessibility, Federal Heights is not required to make every existing facility accessible. The City can relocate some programs to accessible facilities and modify other facilities, avoiding expensive physical modifications of all town facilities.

The ADA does not require anything that impacts the historic significance of historic property.

Historically significant facilities are those facilities or properties that are listed or eligible for listing in the National Register of Historic Places or properties designated as historic under State or local law. Structural changes to these facilities that would threaten or destroy the historical significance of the property or would fundamentally change the program being offered at the historic facility need not be undertaken. Nevertheless, a city must consider alternatives to structural changes in these instances, including using audio-visual materials to depict the inaccessible portions of the facility and other innovative solutions.

- Does not require the City to fundamentally alter services, programs, or activities.
- Does not require the City to create hazardous conditions.
- Does not require the City to incur undue financial and administrative burden.

Programs and Services Viewed in Their Entirety

Title II of the ADA does not require all facilities to be accessible. Programs must be accessible when “viewed in their entirety.” A key concept is that public programs and services, when viewed in their entirety, must be accessible to people with disabilities, but not all facilities must necessarily be made accessible. For example, if a city has multiple public swimming pools and limited resources, it can decide which pools to make accessible based on factors such as the geographic distribution of the sites, the availability of public transportation, the hours of operation, and the programs offered at each site so that the swimming program is accessible to and usable by people with disabilities.

Fundamental Alteration of a Service or Program

A fundamental alteration is a modification that is so significant that it alters the essential nature of the goods, services, facilities, privileges, advantages, or accommodations offered. If a public entity can demonstrate that the modification would fundamentally alter the nature of its service, program, or activity, it is not required to make the modification.

Example: If a city requires a 12-foot set-back from the curb in the central business district, it may be reasonable to grant a 3-foot variance for a store wishing to install a ramp at its entrance to meet its ADA obligations. If the set-back is smaller and the ramp would obstruct pedestrian traffic, granting the variance may "fundamentally alter" the purpose of the public sidewalk.

Undue Financial and Administrative Burden

Undue burden is described as requiring significant difficulty or expense to make a service or program accessible to people with disabilities. While it is rare that the City may not be able to provide program access, there are some instances where it is permissible under the ADA. Program access does not require each facility be made physically accessible, in all instances. However, physical accessibility is a requirement for new facilities intended to provide City programs. The City is not required to incur undue financial or administrative burden. If a public entity believes that a modification to a service or program to achieve accessibility would fundamentally alter the service or program or would result in an undue burden, the public entity has the burden of proving that it would result in a fundamental alteration of the service or an undue burden. That decision must be made by the head of the public entity or his or her designee after

considering all the 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 decision. Even if there is a conclusion of undue burden, the City will still need to perform all other remediations that would not result in an undue burden but would improve accessibility to the maximum extent possible.

ADA Requirements for the City of Federal Heights:

Under Title II, Federal Heights must meet these general requirements:

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities.
- May not refuse to allow a person with a disability to participate in a service, program, or activity simply because the person has a disability.
- Must 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.
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective.
- 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.
- Must designate at least one responsible employee to coordinate ADA compliance. This person is typically 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. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons. The notice must include the identification of the employee serving as the ADA Coordinator and must provide this information on an ongoing basis.
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

Title II of the ADA and its related federal EEOC, DOJ and DOT regulations link the concepts of discrimination and access which include physical access and program access.

Physical Access

Physical access requires a facility be free of barriers preventing participation. Barriers are any obstacles that prevent or restrict access to or use of a facility, right-of-way, or park amenity as identified in ADA Title II, Section 35.1492.

Program Access

Program access is defined by ADA Title II, Section 35.150(a)3. It may include physical accessibility, but also covers policies, practices, communications, and procedures. Program access requires that individuals with disabilities be provided an equally effective opportunity to participate in, or benefit from, programs and services. Program access may be achieved by either structural or non-structural methods. Non-structural methods include acquisition or redesign of equipment, assignment of auxiliary aids and assistance, or provision of services at alternate sites. In general, both may be utilized to ensure program access. Program access includes advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, transportation, policies, and communication.

Designation of Responsibility

In accordance with 28 CFR 35.107(a), Federal Heights has designated the following person to serve as ADA Title II Coordinator, to oversee the City's policies and procedures:

ADA Coordinator

ADA Coordinator

Human Resources Manager

(303) 412-3520

adacoordinator@fedheights.org

2380 W. 90th Ave, Federal Heights, CO 80260

ADA Self-evaluation and Transition Plan Overview

Under Title II of the ADA, public entities are required to perform a self-evaluation of their current services, policies, and practices regarding accessibility. The goal of the self-evaluation is to verify that, in managing its programs and facilities, Federal Heights is providing accessibility and not adversely affecting the full participation of individuals with disabilities.

The intent of the ADA self-evaluation is to review the Federal Heights' entire public program, including all facilities on public property and within public rights-of-way and to identify any obstacles or barriers to accessibility that need to be addressed. The general categories of items to be evaluated include:

- Communications, Information & Facility Signage.
- Building Facilities – these include offices, parks, garages, and other types of buildings.
- Pedestrian Facilities (Pedestrian Circulation Routes / Pedestrian Access Routes) – these include sidewalks, curb ramps, bicycle/pedestrian trails, and traffic control signals that are located within Federal Heights' rights-of-way.

Public entities are required to provide an opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments.

Furthermore, a public entity that employs 50 or more persons is required, for at least three years following the completion of the self-evaluation, to maintain on file and make available for public inspection:

- A list of the interested persons consulted.
- A description of areas evaluated, and any problems identified.
- A description of any modifications made.

Scope of Federal Heights ADA Self-evaluation and Transition Plan

With the help of Mile High Accessibility Consultants, the City of Federal Heights has undertaken a comprehensive evaluation of its policies, programs, facilities, and public right-of-way to determine the extent to which individuals with disabilities may be restricted in their access to City services and activities. This document describes the process developed to complete the evaluation of the City's activities, provides policy and program recommendations, and presents a Transition Plan for the modification of facilities, public rights-of way, and programs to ensure accessibility. This will help guide the planning and implementation of necessary program and facility modifications over the next 10 years. The ADA Self-evaluation and Transition Plan is significant in that it establishes the City's ongoing commitment to the development and maintenance of policies, programs, and facilities that include all the Federal Heights' community.

Public Outreach

Public input is crucial for the Self-evaluation and Transition Plan process. The ADA regulation requires that state and local governments provide an opportunity for people with disabilities, and other interested individuals or organizations, to review and comment on the self-evaluation and transition plan. This allows for people with disabilities and organizations to contribute to the process of generating accessibility solutions that are more effective and creative. Also, involving the public enhances the accountability of the self-evaluation and transition plan process and helps ensure the prudent use of public resources that are limited. One of the most important benefits of public input, is that it can help the City prioritize the removal of barriers to accessibility that are highly significant to the public.

Mile High Accessibility encourages the representation of a diverse range of people with disabilities when possible. This includes people that have physical, visual, hearing, speech, intellectual, learning, behavioral health, and other disabilities, and the organizations that represent people with these disabilities.

On December 21, 2021, Mile High Accessibility met with the City of Federal Heights City Council and key stakeholders to review project expectations, our survey methodology, and anticipated schedule for each task, prior to the finalization of the City's ADA Transition Plan. This allowed the public and the City staff involved with the transition plan to raise any concerns or questions they may have about the entire process of this project. During the preliminary public outreach process, Mile High Accessibility educated elected officials, City management, and department staff as to why having a Self-evaluation and Transition Plan is so important. Mile High Accessibility facilitated a public meeting to review the draft ADA Self-evaluation and Transition Plan document, identify priorities, and solicit any feedback. Additionally, the City of Federal Heights provided a forum for public comments on the City's website for two weeks following the City Council meeting that introduced the Draft ADA Self-evaluation and Transition Plan. No public comments or suggestions were offered.

Policies and Procedures Evaluation

Mile High Accessibility has provided the City with the following essential ADA policy templates:

- ADA Public Notice (Draft provided in Appendix D)
- Americans with Disabilities Act Grievance Procedure (Draft provided in Appendix C)
- Americans with Disabilities Act Designation of ADA Coordinator Notice
- Americans with Disabilities Act Nondiscriminatory Eligibility Criteria Policy

Mile High Accessibility has also provided these additional ADA policy templates that should be implemented by the City to reduce the City's ADA compliance liability. City staff should be trained on all ADA policies adopted by the City:

- ADA Self-evaluation and Transition Plan Policy
- ADA Service Animal Policy
- Law Enforcement Effective Communications Policy
- ADA Effective Communications Policy
- ADA Emergency Management Policy
- ADA General Program Access Policy
- ADA Equal Employment Policy
- ADA Reasonable Accommodation Policy
- ADA Contracting Policy
- ADA Mobility Device Policy
- City Website Accessibility Policy

Transition Plan Management

This Transition Plan is a living document that will continue to be updated as conditions within the City evolve. The initial schedule is to formally review the complete document (main body and appendices) at least once per year, to identify any need for updates. Updates to the appendices or attachments may be made more frequently as needed. Any substantive updates to the main body of this document should include a public comment period to continue the City's public outreach efforts.

The City of Federal Heights recognizes that ADA compliance is an ongoing responsibility which will require monitoring to discover future accessibility issues that may be encountered. For example, facilities that currently meet ADA requirements could fall out of compliance in the future due to factors such as damage, disrepair, or changes within public rights-of-way that could create new accessibility obstacles. Therefore, the ADA Title II Coordinator will establish an on-going monitoring/inspection program or process to ensure that facilities continue to comply with ADA requirements. City employees will also be encouraged to report any accessibility concerns or deficiencies that they may come across.

ADA Surveys of Federal Heights Owned Buildings

Mile High Accessibility used BlueDAG technology for Federal Heights facility surveys, data analysis and reporting. Facility surveys generate a substantial amount of data and photos for accessibility barriers. BlueDAG is a superior technology for data collection and reporting and allows for data to be organized in a manner that is easily interpreted and managed by the City. There are multiple variations of report styles that the City can utilize, along with a wide variety of data sets. In addition to Mile High Accessibility's executive summary reports, BlueDAG facility reports are generated as a PDF and the database is exported into an Excel database management spreadsheet. For exterior spaces, BlueDAG also collected GPS coordinates with linked photos so that the exact location of each barrier is identified.

Facility Elements Surveyed for ADA compliance

PLUMBING ELEMENTS	SPECIAL ROOMS / SPACES	ACCESSIBILITY ELEMENTS
Drinking Fountains	Exhibit Areas	Turning Space
Restrooms	Break Rooms	Clear Floor Space
Water Closets	Reception Areas	Changes in Level
Toilet Compartments	Conference Rooms	Reach Ranges
Urinals	Auditoriums	Operable Parts
Lavatories and Sinks	Court Rooms	Protruding Objects
Grab Bars	Meeting Rooms	Knee and Toe Clearance

ACCESSIBLE ROUTES

Entrance

Parking Facility

Walkways

Doors

Doorways

Curb Ramps

SITE ELEMENTS

Parking Spaces

Access Aisles

Passenger Loading Zones

Stairways

Handrails

Ramps

BUILT-IN ELEMENTS

Signage

Fire Alarm Systems

Assistive Listening Devices

Work Surfaces

Service Counters

Elevators

RECREATION FACILITIES

Play Areas

Sports Fields and Courts

Seating

Picnic Facilities and Shelters

Skate Parks

Swimming Pools

FACILITY DATABASE ELEMENTS

Finding Number

Area Description

Latitude and Longitude Coordinates

Finding Description

As-built Condition

Recommendations to Remove Barrier

2010 ADA Standards Citations

Barrier Priority

Cost Estimate Range to Remove Barrier

Status of Finding

Photograph of Finding

Milestone Dates for Implementing Barrier Removal

Facility Prioritization

Mile High Accessibility assigned a priority of 1-4 for each accessibility barrier discovered. The prioritization process is essential so the City can determine what needs to be remediated immediately and what can be delayed until future planning and budgets have been considered. Mile High Accessibility assigned priorities based on the following:

Priority 1 - High:

Should be completed within 12 months. Includes findings that have little or no cost, were in violation of the codes at the time of construction, pose an imminent safety threat, or would remove barriers to the greatest number of people to the City's programs and services.

Priority 2 - Important:

Should be completed within 24 months. Includes findings that would remove barriers to the greatest number of people to your services.

Priority 3 - Moderate:

Should be completed within 36 months but there may be other items that will provide greater access to persons with disabilities. Includes findings that have a high financial impact on the entity in relationship to the degree of access provided.

Priority 4 - Low:

Includes accessibility barriers in employee only spaces. These barriers should be addressed when any employee with a disability requests reasonable accommodations within the employee only space.

Federal Heights Facilities Surveyed

CITY BUILDINGS

City Hall

2380 W 90th Ave
Federal Heights, CO 80260

Fire Department

2400 W. 90th Avenue
Federal Heights, CO 80260

Police Department

2380 W 90th Ave
Federal Heights, CO 80260

Public Works

2955 W. 90th Avenue
Federal Heights, CO 80260

Parks

Ruston Park

9901 N Zuni Street
Federal Heights, CO 80260

Messina Park

90th Avenue and Tejon Street
Federal Heights, CO 80260

City Public Right-of-way

All City owned streets

Facilities Findings Summary Reports

City Hall			
	# of Findings	Cost Estimate Range	
		Low	High
Priority:			
High	32	\$800	\$1,345
Important	10	\$11,650	\$23,500
Moderate	8	\$20,500	\$26,500
Low	20	\$7,925	\$11,550
Total Findings	70	\$40,875	\$62,895

Fire Department			
	# of Findings	Cost Estimate Range	
		Low	High
Priority:			
High	3	\$350	\$475
Important	3	\$1,500	\$2,000
Moderate	1	\$4,000	\$8,000
Low	35	\$13,075	\$18,525
Total Findings	42	\$18,925	\$29,000

Police Department			
	# of Findings	Cost Estimate Range	
		Low	High
Priority:			
High	21	\$270	\$425
Important	5	\$5,900	\$11,000
Moderate	3	\$4,000	\$5,500
Low	34	\$10,820	\$14,540
Total Findings	63	\$20,450	\$31,465

Public Works			
	# of Findings	Cost Estimate Range	
		Low	High
Priority:			
High	0	\$0	\$0
Important	0	\$0	\$0
Moderate	0	\$0	\$0
Low	11	\$10,570	\$14,275
Total Findings	11	\$5,750	\$14,275

Ruston Park			
	# of Findings	Cost Estimate Range	
		Low	High
Priority:			
High	0	0	0
Important	1	\$150	\$200
Moderate	10	123,500	\$166,000
Low	0	\$0	\$0
Total Findings	11	\$123,650	\$166,200

Messina Park			
	# of Findings	Cost Estimate Range	
		Low	High
Priority:			
High	0	0	0
Important	0	0	0
Moderate	9	\$11,250	\$16,650
Low	0	\$0	\$0
Total Findings	9	\$11,250	\$16,650

Facility Findings Totals

Priority:	# of Findings	Cost Estimate Range	
		Low	High
High	509	\$1,420	\$2,245
Important	162	\$19,200	\$36,700
Moderate	121	\$163,250	\$222,650
Low	209	\$41,850	\$58,890
Total Findings	1,001	\$225,720	\$320,485

Surveys of Federal Heights Owned Public Rights-of-way

Since the adoption of the ADA, Federal Heights has striven to provide accessible pedestrian features as part of the City's capital improvement projects. As additional information was made available regarding the methods of providing accessible pedestrian features, the City updated its procedures to accommodate these methods.

Federal Heights will utilize two methods for upgrading pedestrian facilities to current ADA standards. The first and most comprehensive method is through scheduled street and utility improvement projects. All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards.

The Federal Heights goal is to continue to provide accessible pedestrian design features as part of its capital improvement projects. The City has adopted ADA design standards and procedures. These standards and procedures will be kept current with nationwide and local best management practices.

The City will consider and respond to all accessibility improvement requests. All accessibility improvements that are deemed reasonable will be scheduled consistent with transportation priorities. The City will coordinate with external agencies to ensure that all new or altered pedestrian facilities within the City jurisdiction are ADA compliant to the maximum extent feasible.

Maintenance of pedestrian facilities within the public rights-of-way will continue to follow the policies set forth by the City. Examples of typical maintenance items relating to accessibility include snow removal and ice control for sidewalks, sidewalk repair policy, renewal of crosswalk markings, and signal hardware.

Requests for accessibility improvements can be submitted to the ADA Title II Coordinator or Transition Plan Implementation Coordinator.

Many other agencies are responsible for pedestrian facilities within the jurisdiction of Federal Heights. The City will coordinate with those agencies to assist with identifying and facilitating elimination of accessibility barriers along their routes.

The Federal Heights public right-of-way is 34 miles of City owned streets. Mile High Accessibility surveyed the following public right-of-way elements for compliance with the Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) compliance:

PUBLIC RIGHT-OF-WAY ELEMENTS

Pedestrian Access Routes

Transit Stops and Transit Shelters

Accessible Pedestrian Signals

Detectable Warning Surfaces

Alternate Pedestrian Access Routes

Pedestrian Street Crossings

Curb Ramps and Blended transitions

Passenger Loading Zones

The Public Right-of-way Transition Plan Database

The Mile High Accessibility Public Right-of-way Transition Plan Database report contains these fields:

PUBLIC RIGHT-OF-WAY DATABASE ELEMENTS	
Finding Number	PROWAG Guidelines Citations
Area Description	Barrier Priority
Latitude and Longitude Coordinates	Cost Estimate Range to Remove Barrier
Finding Description	Status of Finding
As-built Condition	Photograph of Finding
Recommendations to Remove Barrier	Notes
Milestone Dates for Implementing Barrier Removal	

Public Right-of-way Prioritization

There were many physical barriers to accessibility in the Federal Heights public right-of-way that do not adhere to PROWAG. To help determine when public right-of-way barriers to accessibility should be remediated, the barriers in sidewalks and curb ramps are prioritized in the following order:

- A. Arterial roads with access to various programs.
- B. Collector roads with access to various programs.
- C. Local roads with access to fewer programs.
- D. Residential roads with minor access to few programs.
- E. Little to no access to available programs.

The barriers within the above categories are assigned a priority level of High, Moderate, and Low, depending on the type of road and the type of barrier.

In addition to the prioritization based on the type of road and the access to available programs, sidewalk and curb ramp barriers are prioritized by the type of barrier existing in a sidewalk or curb ramp.

Sidewalk Barrier Prioritization

	PRIORITY KEY		HIGH	MODERATE	LOW
Description	Arterial roads with access to various programs	Collector roads with access to various programs	Local roads with access to fewer programs	Residential roads with minor access to few programs	Little to no access to available programs
No sidewalk provided	A1 - S	B1 - S	C1 - S	D1 - S	E1 - S
Sidewalk in <36"	A2 - S	B2 - S	C2 - S	D2 - S	E2 - S
Width is between 36" and 48", Cross slope and/or running slope is excessive	A3 - S	B3 - S	C3 - S	D3 - S	E3 - S
Built projections are present	A4 - S	B4 - S	C4 - S	D4 - S	E4 - S
Vertical Discontinuities, Horizontal openings, or other damages to sidewalk are present	A5 - S	B5 - S	C5 - S	D5 - S	E5 - S
Organic projections that interfere with headroom, or width are present	A6 - S	B6 - S	C6 - S	D6 - S	E6 - S
No deficiencies reported	A7 - S	B7 - S	C7 - S	D7 - S	E7 - S

Curb Ramp Barrier Prioritization

	PRIORITY KEY		HIGH	MODERATE	LOW
Description	Arterial roads with access to various programs	Collector roads with access to various programs	Local roads with access to fewer programs	Residential roads with minor access to few programs	Little to no access to available programs
No curb ramp provided public access route	A1 - CR	B1 - CR	C1 - CR	D1 - CR	E1 - CR
Running slope, Cross slope, or Counter slope deficiencies	A2 - CR	B2 - CR	C2 - CR	D2 - CR	E2 - CR
Damaged	A3 - CR	B3 - CR	C3 - CR	D3 - CR	E3 - CR
Side flares, width, and turning space	A4 - CR	B4 - CR	C4 - CR	D4 - CR	E4 - CR
Detectable warning deficiencies	A5 - CR	B5 - CR	C5 - CR	D5 - CR	E5 - CR
Vertical discontinuity or various minor deficiencies	A6 - CR	B6 - CR	C6 - CR	D6 - CR	E6 - CR
No deficiencies reported	A7 - CR	B7 - CR	C7 - CR	D7 - CR	E7 - CR

Federal Heights Streets

CITY STREETS SURVEYED

86th Ave	N Mariposa St
92nd Ave	N Tejon St
Alcott St	N Umatilla St
Beach St	Pecos St
Bryant Dr	Stacy Dr
Bryant St	Tejon St
Cascade Dr	Tejon Way
Clay St	W 100th Ave
Elm Ct	W 100th Dr
Fayette St	W 101st Pl
Federal Blvd	W 102nd Ave
Fontaine St	W 103rd Ave
Huron St	W 104th Ave
N Bryant Ct	W 84th Ave
N Camenish Way	W 84th Pl
N Clay St	W 85th Ave
N Eliot Cir	W 90th Ave
N Eliot St	W 91st Ave
N Elm Ct	W 91st Pl
N Elm St	W 91st Dr
N Inca Ct	W 96th Ave
N Jason Ct	W 98th Cir
N Jason St	W 98th Dr
N Kalamath Ct	W 99th Cir
N Kalamath St	W 99th Pl
N Lipan Ct	W Clay Ct
N Lipan St	Zuni St

Public Right-of-way Summary Reports

STREET	COST ESTIMATE RANGE					
	CURB RAMPS		SIDEWALKS		STREET TOTALS	
	LOW	HIGH	LOW	HIGH	LOW	HIGH
86th Ave	\$0	\$0	\$10,800	\$14,400	\$10,800	\$14,400
92nd Ave	\$39,450	\$47,400	\$117,000	\$156,000	\$156,450	\$203,400
Alcott St	\$0	\$0	\$2,640	\$3,520	\$2,640	\$3,520
Beach St	\$5,590	\$6,720	\$49,800	\$66,400	\$55,390	\$73,120
Bryant Dr	\$5,000	\$6,000	\$0	\$0	\$5,000	\$6,000
Bryant St	\$0	\$0	\$52,200	\$69,600	\$52,200	\$69,600
Cascade Dr	\$10,000	\$12,000	\$2,100	\$3,500	\$12,100	\$15,500
Clay St	\$67,300	\$81,350	\$69,275	\$92,400	\$136,575	\$173,750
Elm Ct	\$0	\$0	\$129,960	\$173,280	\$129,960	\$173,280
Fayette St	\$0	\$0	\$141,000	\$188,000	\$141,000	\$188,000
Federal Blvd	\$102,420	\$123,360	\$163,325	\$217,850	\$265,745	\$341,210
Fontaine St	\$0	\$0	\$60,060	\$80,080	\$60,060	\$80,080
Huron St	\$2,500	\$3,000	\$24,060	\$32,080	\$26,560	\$35,080
N Bryant Ct	\$0	\$0	\$0	\$0	\$0	\$0
N Camenish Way	\$0	\$0	\$66,180	\$88,240	\$66,180	\$88,240
N Clay St	\$0	\$0	\$64,800	\$86,400	\$64,800	\$86,400

STREET	COST ESTIMATE RANGE					
	CURB RAMPS		SIDEWALKS		STREET TOTALS	
	LOW	HIGH	LOW	HIGH	LOW	HIGH
N Eliot Cir	\$0	\$0	\$4,800	\$6,400	\$4,800	\$6,400
N Eliot St	\$18,930	\$22,990	\$70,575	\$94,200	\$89,505	\$117,190
N Elm Ct	\$31,130	\$37,640	\$175,415	\$233,970	\$206,545	\$271,610
N Elm St	\$7,500	\$9,000	\$900	\$1,200	\$8,400	\$10,200
N Inca Ct	\$240	\$320	\$16,020	\$21,360	\$16,260	\$21,680
N Jason Ct	\$0	\$0	\$16,080	\$21,440	\$16,080	\$21,440
N Jason St	\$0	\$0	\$11,920	\$15,910	\$11,920	\$15,910
N Kalamath Ct	\$0	\$0	\$24,480	\$32,640	\$24,480	\$32,640
N Kalamath St	\$2,500	\$3,000	\$19,800	\$26,400	\$19,800	\$26,400
N Lipan Ct	\$0	\$0	\$16,455	\$21,940	\$16,455	\$21,940
N Lipan St	\$0	\$0	\$30,320	\$40,460	\$30,320	\$40,460
N Mariposa St	\$0	\$0	\$23,460	\$31,280	\$23,460	\$31,280
N Tejon St	\$11,180	\$13,440	\$70,370	\$93,860	\$81,550	\$107,300
N Umatilla St	\$5,000	\$6,000	\$0	\$0	\$5,000	\$6,000
Pecos St	\$27,570	\$33,160	\$7,975	\$11,400	\$30,845	\$38,960
Stacy Dr	\$12,100	\$14,400	\$45,000	\$60,000	\$57,100	\$74,400
Tejon St	\$3,680	\$4,440	\$11,700	\$15,600	\$15,380	\$20,040
Tejon Way	\$0	\$0	\$16,200	\$21,600	\$16,200	\$21,600

STREET	COST ESTIMATE RANGE					
	CURB RAMPS		SIDEWALKS		STREET TOTALS	
	LOW	HIGH	LOW	HIGH	LOW	HIGH
W 100th Ave	\$34,950	\$42,200	\$105,120	\$140,160	\$135,070	\$176,360
W 100th Dr	\$9,160	\$11,080	\$2,400	\$3,200	\$11,560	\$14,280
W 101st Pl	\$5,590	\$6,720	\$1,200	\$1,600	\$6,790	\$8,320
W 102nd Ave	\$7,120	\$8,560	\$23,850	\$31,800	\$30,970	\$40,360
W 103rd Ave	\$37,470	\$45,260	\$56,875	\$75,950	\$81,845	\$106,210
W 104th Ave	\$46,280	\$55,640	\$61,155	\$90,220	\$99,645	\$147,560
W 84th Ave	\$38,090	\$45,720	\$78,150	\$104,200	\$108,740	\$140,920
W 84th Pl	\$41,050	\$49,200	\$29,400	\$39,200	\$47,950	\$61,400
W 85th Ave	\$105,890	\$126,720	\$91,275	\$121,800	\$175,265	\$222,320
W 90th Ave	\$26,420	\$31,760	\$194,280	\$249,040	\$218,200	\$277,800
W 91st Ave	\$0	\$0	\$158,460	\$211,280	\$158,460	\$211,280
W 91st Pl	\$0	\$0	\$21,480	\$28,640	\$21,480	\$28,640
W 91st Dr	\$0	\$0	\$76,260	\$101,680	\$76,260	\$101,680
W 96th Ave	\$28,990	\$34,920	\$38,040	\$50,530	\$67,030	\$85,450
W 98th Cir	\$0	\$0	\$0	\$0	\$0	\$0
W 98th Dr	\$19,020	\$22,960	\$50,650	\$67,550	\$69,670	\$90,510
W 99th Cir	\$0	\$0	\$0	\$0	\$0	\$0
W 99th Pl	\$0	\$0	\$141,000	\$188,000	\$141,000	\$188,000

STREET	COST ESTIMATE RANGE					
	CURB RAMPS		SIDEWALKS		STREET TOTALS	
	LOW	HIGH	LOW	HIGH	LOW	HIGH
W Clay Ct	\$0	\$0	\$16,800	\$22,400	\$16,800	\$22,400
Zuni St	\$21,870	\$26,360	\$102,295	\$136,460	\$121,665	\$159,820

Public Right-of-way Totals

COST ESTIMATE RANGE					
CURB RAMPS		SIDEWALKS		TOTAL	
LOW	HIGH	LOW	HIGH	LOW	HIGH
\$733,090	\$888,755	\$2,714,870	\$3,631,585	\$3,447,960	\$4,520,340

PROW PRIORITY TOTALS			
Priority Level	Findings	Total - Low	Total - High
A1 - A3	148	\$584,080	\$777,320
B1 - B3	94	\$713,440	\$927,680
C1 - C5	183	\$454,823	\$583,055
D1 - D5	230	\$1,641,482	\$2,164,235
A4 - A5	97	\$24,065	\$30,690
B4 - B5	119	\$30,070	\$37,360
E1 - E7	0	\$0	\$0
A,B,C,D 6-7	23	Maintenance	Maintenance
Totals	894	\$3,447,960	\$4,520,340

Appendix A: ADA Definitions

Alterations

When a public entity chooses to alter any of its facilities, the elements and spaces being altered must comply with the 2010 Standards. An alteration is defined as remodeling, renovating, rehabilitating, reconstructing, changing, or rearranging structural parts or elements, changing or rearranging plan configuration of walls and full-height or other fixed partitions, or making other changes that affect (or could affect) the usability of the facility. Examples include restriping a parking lot, moving walls, moving a fixed ATM to another location, installing a new service counter or display shelves, changing a doorway entrance, or replacing fixtures, flooring, or carpeting. Normal maintenance, reroofing, painting, wallpapering, or other changes that do not affect the usability of a facility are not considered alterations. The 2010 Standards set minimum accessibility requirements for alterations. In situations where strict compliance with the Standards is technically infeasible, the entity must comply to the maximum extent feasible (see Technically Infeasible below).

Auxiliary Aids and Services

- Qualified interpreters or other effective methods of making orally delivered materials available to individuals with hearing impairments.
- Qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments.
- Acquisition or modification of equipment or devices; and other similar services and actions.

Complaint

A complaint is a claimed violation of the ADA.

Disability

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

Discrimination Based on Disability

- Limit, segregate, or classify a citizen in a way that may adversely affect opportunities or status because of the person's disability.
- Limit, segregate, or classify a participant in a program or activity offered to the public in a way that may adversely affect opportunities or status because of the participant's disability.
- Participate in a contract that could subject a qualified citizen with a disability to discrimination.
- Use any standards, criteria, or methods of administration that have the effect of discriminating based on disability.
- Deny equal benefits because of a disability.
- Fail to make reasonable accommodations to known physical or mental limitations of an otherwise qualified individual unless it can be shown that the accommodation would impose an undue burden on the organization's operations.
- Use selection criteria that exclude otherwise qualified people with disabilities from participating in the programs or activities offered to the public.

- Fail to use tests, including eligibility tests, in a manner that ensures that the test results accurately reflect the qualified applicant's skills or aptitude to participate in a program or activity.

Fundamental Alteration

A modification that is so significant that it alters the essential nature of the goods, services, facilities, privileges, advantages, or accommodations offered. If a public entity can demonstrate that the modification would fundamentally alter the nature of its service, program, or activity, it is not required to make the modification. If a public accommodation (private entity) can demonstrate that a modification would fundamentally alter the nature of the goods, services, facilities, privileges, advantages, or accommodations it provides, it is not required to make the modification.

Having a Record of Impairment

An individual is disabled if he or she has a history of having an impairment that substantially limits the performance of a major life activity; or has been diagnosed, correctly or incorrectly, as having such impairment.

Physical or Mental Impairments

Physical or mental impairments may include, but are not limited to: vision, speech, and hearing impairments; emotional disturbance and mental illness; seizure disorders; mental retardation; orthopedic and neuromotor disabilities; learning disabilities; diabetes; heart disease; nervous conditions; cancer; asthma; Hepatitis B; HIV infection (HIV condition); and drug addiction if the addict has successfully completed or is participating in a rehabilitation program and no longer uses illegal drugs.

The following conditions are not physical or mental impairments: transvestitism; illegal drug use; homosexuality or bisexuality; compulsive gambling; kleptomania; pyromania; pedophilia; exhibitionism; voyeurism; pregnancy; height; weight; eye color; hair color; left-handedness; poverty; lack of education; a prison record; and poor judgment or quick temper if not symptoms of a mental or physiological disorder.

Qualified Individual with a Disability

A qualified individual with a disability means an individual with a disability who, with or without reasonable modification to rules, policies, or practices; the removal of architectural, communication, or transportation barriers; or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the City.

Reasonable Program Modifications

If the individual's disabilities prevent them from performing the essential functions of the program or activity, it is necessary to determine whether reasonable program modifications would enable an individual to perform the essential functions of the program or activity.

Reasonable program modification is any change in program or activity or in the way things are customarily done that enables an individual with a disability to enjoy equal program opportunities. Accommodation means modifications or adjustments:

- To a registration or application process to enable an individual with a disability to be considered for the program or activity.
- To the program or activity environment in which the duties of a position are performed so that a person with a disability can perform the essential functions of the program or activity.
- That enables individuals with disabilities to enjoy equally the benefits of the program or activity as other similarly situated individuals without disabilities enjoy.

Modification includes making existing facilities and equipment used by individuals readily accessible and usable by individuals with disabilities.

Modification applies to:

- All decisions and to the application or registration process.
- All services provided in connection with the program or activity.
- Known disabilities only.

Modification is not required if:

- It changes the essential nature of a program or activity of the person with a disability.
- It creates a hazardous situation.
- Adjustments or modifications requested are primarily for the personal benefit of the individual with a disability.
- It poses an undue burden on the city.

Regarded as Having a Disability

An individual is disabled if she or he is treated or perceived as having an impairment that substantially limits major life activities, although no such impairment exists.

Reasonable Modification of Policies and Procedures

Many routine policies, practices, and procedures are adopted by public entities without thinking about how they might affect people with disabilities. Sometimes a practice that seems neutral makes it difficult or impossible for a person with a disability to participate. In these cases, the ADA requires public entities to make “reasonable modifications” in their usual ways of doing things when necessary to accommodate people who have disabilities. For example:

- A person who uses crutches may have difficulty waiting in a long line to vote or register for college classes. The ADA does not require that the person be moved to the front of the line (although this would be permissible), but staff must provide a chair for him and note where he is in line, so he does not lose his place.
- A person who has an intellectual or cognitive disability may need assistance in completing an application for public benefits.
- A public agency that does not allow people to bring food into its facility may need to make an exception for a person who has diabetes and needs to eat frequently to control his glucose level.
- A city or county ordinance that prohibits animals in public places must be modified to allow people with disabilities who use service animals to access public places. (This topic is discussed more fully later.)
- A city or county ordinance that prohibits motorized devices on public sidewalks must be modified for people with disabilities who use motorized mobility devices that can be used safely on sidewalks.

Only “reasonable” modifications are required. Any modification that would result in a "fundamental alteration" -- a change in the essential nature of the entity's programs or services -- is not required.

Safe Harbor

The requirements in the 2010 ADA Standards are, for many building elements, identical to the 1991 Standards and the earlier Uniform Federal Accessibility Standards (UFAS). For some elements, however, the requirements in the 2010 Standards have changed. For example:

- The 1991 Standards allowed light switches, thermostats, and other controls to be installed at a maximum height of 54 inches. Under the 2010 Standards, the maximum height is 48 inches.
- The 1991 Standards required one van-accessible space for every eight accessible spaces. The 2010 Standards require one van-accessible space for every six accessible spaces.
- The 2010 Standards for assembly areas contain revised requirements for dispersion of accessible seating, sightlines over standing spectators, and companion seating.

If a facility was in compliance with the 1991 Standards or UFAS as of March 15, 2012, a public entity is not required to make changes to meet the 2010 Standards. This provision is referred to as the “safe harbor.” It applies on an element-by-element basis and remains in effect until a public entity decides to alter a facility for reasons other than the ADA. For example, if a public entity decides to restripe its parking lot (which is considered an alteration), it must then meet the ratio of van accessible spaces in the 2010 Standards. The ADA’s definition of the term “alteration” is discussed below.

The 2010 Standards also contain requirements for recreational facilities that were not addressed in the 1991 Standards or UFAS. These include swimming pools, play areas, exercise machines, court sport facilities, and boating and fishing piers. Because there were no previous accessibility standards for these types of facilities, the safe harbor does not apply. The program access rules apply, and the 2010 Standards must be followed when structural change is needed to achieve program access.

Service Animals

Under the ADA, a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be related to the person’s disability. For example, many people who are blind or have low vision use dogs to guide and assist them with orientation. Many individuals who are deaf use dogs to alert them to sounds. People with mobility disabilities often use dogs to pull their wheelchairs or retrieve items. People with epilepsy may use a dog to warn them of an imminent seizure, and individuals with psychiatric disabilities may use a dog to remind them to take medication. Dogs can also be trained to detect the onset of a seizure or panic attack and to help the person avoid the attack or be safe during the attack. Under the ADA, “comfort,” “therapy,” or “emotional support” animals do not meet the definition of a service animal because they have not been trained to do work or perform a specific task related to a person’s disability.

Allowing service animals into a “no pet” facility is a common type of reasonable modification necessary to accommodate people who have disabilities. Service animals must be allowed in all areas of a facility where the public is allowed except where the dog’s presence would create a legitimate safety risk (e.g., compromise a sterile environment such as a burn treatment unit) or would fundamentally alter the nature of a public entity’s services (e.g., allowing a service animal into areas of a zoo where animals that are natural predators or prey of dogs are displayed and the dog’s presence would be disruptive). The ADA does not override public health rules that prohibit dogs in swimming pools, but they must be permitted everywhere else.

The ADA requires that service animals be always under the control of the handler and be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents him from using these devices. Individuals who cannot use such devices must maintain control of the animal through voice, signal, or other effective controls.

Public entities may exclude service animals only if 1) the dog is out of control and the handler cannot or does not regain control; or 2) the dog is not housebroken. If a service animal is excluded, the individual must be allowed to enter the facility without the service animal.

Public entities may not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal, as a condition for entry. In situations where it is not apparent that the dog is a service animal, a public entity

may ask only two questions: 1) is the animal required because of a disability? and 2) what work or task has the dog been trained to perform? Public entities may not ask about the nature or extent of an individual's disability.

The ADA does not restrict the breeds of dogs that may be used as service animals. Therefore, a town ordinance that prohibits certain breeds must be modified to allow a person with a disability to use a service animal of a prohibited breed, unless the dog's presence poses a direct threat to the health or safety of others. Public entities have the right to determine, on a case-by-case basis, whether use of a particular service animal poses a direct threat, based on that animal's actual behavior or history; they may not, however, exclude a service animal based solely on fears or generalizations about how an animal or breed might behave.

The ADA does not require service animals to be certified, licensed, or registered as a service animal. Nor are they required to wear service animal vests or patches, or to use a specific type of harness. There are individuals and organizations that sell service animal certification or registration documents to the public. The Department of Justice does not recognize these as proof that the dog is a service animal under the ADA.

Substantial Limitations of Major Life Activities

Individuals are disabled if they have a physical or mental impairment that (a) renders them unable to perform a major life activity, or (b) substantially limits the condition, manner, or duration under which they can perform a particular major life activity in comparison to other people.

Major life activities are functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

In determining whether physical or mental impairment substantially limits the condition, manner, or duration under which an individual can perform a particular major life activity in comparison to other people, the following factors shall be considered:

- The nature and severity of the impairment.
- The duration or expected duration of the impairment.
- The permanent or long-term impact (or expected impact) of or resulting from the impairment.

Technically Infeasible

Is defined as an alteration that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member that is an essential part of the structural frame; or because other existing physical or site constraints prohibit modifications or additions that comply fully with the Standards. The 2010 Standards also contain an exemption for certain alterations that would threaten or destroy the historic significance of an historic property.

Undue Burden

The City of Federal Heights shall not provide an accommodation that imposes an undue burden on the operation of the City's business. Undue burden means significant difficulty or expense incurred in the provision of accommodation. Undue burden includes, but is not limited to, financial difficulty. Undue burden refers to any modification that would be unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature of operation of the business of the city.

Whether a particular accommodation will impose an undue hardship is determined on an individual basis. If a particular modification is determined to cause an undue burden to the City of Redmond, the city shall attempt to identify another modification that would not pose such a burden. If cost causes the undue burden, the city must consider whether funding for modification is available from an outside source. If no such funding is available, the city must give the person with a disability the opportunity to provide the modification or to pay for that portion of the modification that constitutes an undue burden.

Appendix B: Glossary of Terms

ABA: See Architectural Barriers Act.

ADA: See Americans with Disabilities Act.

ADA Transition Plan: Transportation system plan that identifies accessibility needs, the process to fully integrate accessibility improvements, and aims to ensure that all transportation facilities, services, programs, and activities are accessible to all individuals.

ADAAG: See Americans with Disabilities Act Accessibility Guidelines.

Accessible: A facility that provides access to people with disabilities using the design requirements of the ADA.

Accessible Pedestrian Signal (APS): A device that communicates information about the WALK phase in audible and vibrotactile formats.

Alteration: A change to a facility in the public right-of-way that affects or could affect access, circulation, or use. An alteration must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building or site.

Americans with Disabilities Act (ADA): Civil rights legislation passed in 1990 and effective July 1992. The ADA sets design guidelines for accessibility to public facilities, including sidewalks and trails, by individuals with disabilities.

Americans with Disabilities Act Accessibility Guidelines (ADAAG): Contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990.

APS: See Accessible Pedestrian Signal.

Architectural Barriers Act (ABA): 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.

Capital Improvement Program (CIP): The CIP for a public agency typically includes an annual capital budget and a five-year plan for funding the new construction and reconstruction projects on the agency's transportation system.

Detectable Warning: A surface feature of truncated domes, built in or applied to the walking surface to indicate an upcoming change from pedestrian to vehicular way.

DOJ: See United States Department of Justice.

Federal Highway Administration (FHWA): A branch of the U.S. Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads, and bridges.

FHWA: See Federal Highway Administration.

Pedestrian Access Route (PAR): A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility.

Pedestrian Circulation Route (PCR): A prepared exterior or interior way of passage provided for pedestrian travel.

PROWAG: An acronym for the *Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way* issued in 2005 by the U.S. Access Board. This guidance addresses roadway design practices, slope and terrain related to pedestrian access to walkways and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.

Right-of-Way: A general term denoting land, property, or interest therein, usually in a strip, acquired for the network of streets, sidewalks and trails creating public pedestrian access within a public entity's jurisdictional limits.

Section 504: The section of the Rehabilitation Act that prohibits discrimination by any program or activity conducted by the federal government.

Uniform Federal Accessibility Standards (UFAS): Accessibility standards that all federal agencies are required to meet; includes scoping and technical specifications.

United States Access Board: An independent federal agency that develops and maintains design criteria for buildings and other improvements, transit vehicles, telecommunications equipment, and electronic and information technology. It also enforces accessibility standards that cover federally funded facilities.

United States Department of Justice: Federal executive department responsible for enforcement of the law and administration of justice (also referred to as the Justice Department or DOJ).

Appendix C: Draft ADA Grievance Procedure



THE AMERICANS WITH DISABILITIES ACT (ADA) GRIEVANCE PROCEDURE

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990. It may be used by anyone who wishes to file a complaint alleging discrimination based on disability in the provision of services, activities, programs, or benefits by City of Federal Heights, New Mexico. 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:

**ADA Coordinator,
2380 W. 90th Ave
Federal Heights, CO 80260
Phone: 303-412-3520
Fax: 303-428-3298
Email: adacoordinator@fedheights.org**

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

If the response by ADA Coordinator, or their 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 their designee.

Within 15 calendar days after receipt of the appeal, City Manager, or designee, will meet with the complainant to discuss the complaint and possible resolutions. Within 30 calendar days after the meeting, the City Manager, or 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 ADA Coordinator or, their designee, appeals to City Manager, or designee, and responses from these two offices will be retained by the City for at least three years.

Appendix D: Draft ADA Public Notice



In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Federal Heights, Colorado will not discriminate against qualified individuals with disabilities based on disability in its services, programs, or activities.

Employment: The City of Federal Heights does not discriminate based on disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the Americans with Disabilities Act (ADA).

Effective Communication: The City of Federal Heights will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of Federal Heights 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 Federal Heights will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all the City of Federal Heights programs, services, and activities. For example, individuals with service animals are welcomed in the City of Federal Heights 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 City of Federal Heights program, service, or activity, should contact, as soon as possible but no later than 48 hours before the scheduled event, the office of:

**ADA Coordinator,
2380 W. 90th Ave
Federal Heights, CO 80260
Phone: 303-412-3520
Fax: 303-428-3298
Email: adacoordinator@fedheights.org**

The ADA does not require the City of Federal Heights 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 the City of Federal Heights program, service, or activity is not accessible to persons with disabilities should be directed to ADA Coordinator, at 303-428-3298.

The City of Federal Heights 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.