

City of Brockton, Massachusetts ADA Self-Evaluation and Transition Plan PHASE 1



DRAFT

Prepared For:

City of Brockton
45 School Street
Brockton, MA 02301



**CAPITAL
STRATEGIC
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Building Trust Through Open Dialogue & Transparency

City of Brockton, Massachusetts
Americans with Disabilities Act (ADA)
PHASE 1
Self-Evaluation and Transition Plan
2023

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Disclaimer: This Self-Evaluation and Transition Plan is a “planning” document which is intended to identify areas of noncompliance under the Federal Americans with Disabilities Act as it pertains to the provision of services, programs, and activities. In doing so, this Plan provides an evaluation of policies and procedures and provides recommendations and sample documents for compliance. This Plan also includes a facilities assessment to identify non-conforming buildings and site conditions including a description and applicable regulatory standards for compliance. This is not an engineering or architectural assessment, nor does it provide engineering or design solutions. Construction solutions must be designed by a qualified engineering or architectural professional to ensure compliance under the MAAB 521 CMR requirements and the 2010 ADA Standards for Accessible Design.

1.0 Executive Summary

In 2023, Capital Strategic Solutions (CSS), in partnership with BETA Group, Inc. (BETA), were selected by the City of Brockton (City) to assist in complying with the Americans with Disabilities Act (ADA) by completing an ADA Self-Evaluation and Transition Plan (SETP) for specified City-owned facilities, as well as the City's sidewalks and curb ramps. The SETP is required for all municipalities under Title II of the ADA (Title II) and Section 504 of the Rehabilitation Act of 1973. The plan's purpose is to show efforts currently underway by the City to comply with the terms of the ADA, which prohibits discrimination based on a person's physical and mental abilities. While the Self Evaluation identifies existing barriers to accessibility to the City's programs, services and activities, the Transition Plan serves as a guide for their removal. In addition to developing a SETP document, the ADA requires:

- Designation of a responsible party for the coordination and implementation of ADA requirements
- Development of an ADA grievance procedure
- Display of a public notice of the ADA requirements and the City's commitment to accessibility

The SETP confirms the status of these requirements, and where they have not been fulfilled or are not currently available to the public, this report makes recommendations to meet or exceed the minimum requirements for compliance.

2.0 Methodology

This report details the assessment of the physical access to buildings and grounds of the City's Phase One specified facilities, as well as the City's sidewalks and curb ramps. Given that programs, services and activities are offered on these properties, Title II requires that people with disabilities have an equal opportunity to participate in the public entities' programs, services and activities in the most integrated manner appropriate.

Like many public buildings in New England, given the age of some of these properties, there are areas that do not currently meet the minimum standards for physical accessibility defined by the ADA. As required through this evaluation process, each deficient item is identified in this report and a recommendation is made for its removal/corrective action. For planning purposes, each recommendation is assigned a priority designation:

<u>PRIORITY</u>	<u>DESCRIPTION</u>
1.	Accessible approach and entrance
2.	Access to goods and services
3.	Access to public toilet rooms
4.	Access to other items (i.e. – water fountains, public telephones, etc.)

Although the ADA has jurisdiction over the entire facility, Title II is most concerned with the spaces where the public has access to programs and services. Recommendations of a physical alteration are often not the only possible means of providing compliant access. It may be possible to correct the deficiency in one of many ways including:

- Spot repairs
- Remodeling or renovation of an existing facility
- Full replacement of existing facility

Where it proves that a physical alteration is not readily available, alternative means such as relocating the programs, services and activities may be a suitable solution. Once deficient items are resolved, the Transition Plan can be updated to indicate progress towards compliance. The process of implementing the improvements recommended in the Transition Plan will be at the discretion of the City and will be based on the availability of funds and reasonable remediation solutions. Throughout this process, the City is in control of the implementation of their plan. By initiating the SETP process, the City shows its commitment to comply with the ADA and to plan for improvements that prioritize improved access to its programs and services.

The methodology for assessment of the sidewalks and curb ramps involved meetings being held with the City of Brockton and the Director of Public Works to align goals and set strategic milestones for the project. The overall outline for the development of the Self-Evaluation follows these five key actions:

1. Develop base mapping of the City
2. Identify and Classify Priority Locations (A, B, C, or D)
3. Incorporate existing sidewalk inventory and condition assessment (by others)
4. Conduct desktop inventory of curb ramps
5. Assess curb ramps for preliminary ADA compliance criteria
6. Analyze Data and Generate Reports for Planning Purposes
7. Produce Maps from Existing Conditions
8. Discussion of Findings and Provide Recommendations

3.0 Findings

Mark Dempsey, Capital Strategic Solutions' in house ADA expert conducted inspections of the following Phase One facilities in 2023:

City Hall	45 School Street
Library	304 North Main Street
Library East Branch	54 Kingman Street
Library West Branch	540 Forest Avenue
Campanelli Stadium	1 Feinberg Way

Phase One facilities in 2023 *continued*:

Golf Club House	331 Oak Street
Cemetery Office	88 North Pearl Street
Animal Control Building	446 Court Street
Fire Alarm Headquarters	52 Pleasant Street
Fire Station 1 – Central	42 Pleasant Street
Fire Station 2 - Campello	945 North Main Street
Fire Station 3 - Montello	916 Main Street
Fire Station 4 - East	305 Crescent Street
Fire Station 6 - West	540 West Street
Fire Station 7 – Cary Hill	605 North Cary Street

A detailed ADA evaluation for each Phase 1 facility has been completed and is included in this report. The evaluations tabulate observed non-compliant items, make recommendations for their removal, and estimate corresponding costs of making improvements. The resulting Transition Plan proposes a conservative approach for the City to make reasonable accommodations by prioritizing improvements.

The development of this Self Evaluation and Transition Plan for sidewalks and curb ramps is intended to assist the City of Brockton to be able to understand its pedestrian assets within the public right of way, and to systematically improve accessibility within its transportation network. Improvements targeted through this plan focus on those which will benefit the mobility of the disabled and to improve access according to the requirements of Title II of the Americans with Disabilities Act (ADA).

Actions to implement compliance as required will solely be at the discretion of the City and will be achieved based on available and allocated funding and the feasibility of construction, among other criteria. It is the responsibility of the designers, engineers, and contractors that perform the work of such projects to ensure that the constructed end results meet all applicable accessible statutes and standards. This SETP document is meant to serve as a guide for planning full compliance of the City's to comply with the requirements of the ADA and its overall commitment to achieve accessibility to its facilities and infrastructure for all its citizens.

4.0 Regulations and Requirements

4.1 Introduction

Capital Strategic Solutions has prepared this Self-evaluation and Transition Plan on behalf of the City of Brockton to determine its level of compliance under the Americans with Disability Act (ADA) of 1991, as amended in 2008 and 2010. The ADA is a civil rights law. Under the ADA, civil rights are guaranteed to individuals who experience discrimination because they; 1) have a physical or mental impairment that substantially limits a major life activity, 2) have a record of such an impairment, and 3) are regarded as

having such an impairment. The ADA provides civil rights protections to those with disabilities in a manner similar to that provided to individuals on the basis of race, color, sex, natural origin, age, and religion. The law is intended to ensure that those with a disability cannot be excluded from participating in, or denied the benefits of programs, services and activities offered by state and local governments because of that disability.

Title II of the ADA, as amended, requires local municipalities to conduct a Self-Evaluation of programs and services as well as an evaluation of all facilities to document physical barriers to access as part of the requirements for developing a Transition Plan. In Massachusetts, public buildings and facilities must adhere to Section 521 of the Code of Massachusetts Regulations, "521 CMR: Architectural Access Board", a specialized section of the State Building Code as governed by the Massachusetts Architectural Access Board (M.G.L. c.22, S13A).

This ADA Self-evaluation and Transition Plan includes model policies and procedures for adoption by the city as well as barrier removal solutions for the City's public buildings and facilities. The assessment of physical barriers and subsequent recommendations are based on the current 2010 ADA Standards for Accessible Design (2010 ADA Standards) and MA State Building Code 521 C.M.R., the higher standard to prevail. Although there are exceptions and variations, this Accessibility Plan and its recommendations are based on compliance with the current Federal and State standards and the measures required to do so.

4.2 Americans with Disabilities Act (ADA)

On July 26, 1990, President George H. Bush signed the Americans with Disabilities Act, a federal civil rights law that prohibits the exclusion of people with disabilities from the right of equal opportunity. Much of the ADA legislation was built upon legislation that had already been in place for a number of years including the Civil Rights act of 1964 and the Rehabilitation Act of 1973 which regulates employment practices in the federal government and by federal contractors, establishes architectural and transportation accessibility standards and guarantees equal access to entities that receive federal funds.

The ADA is a civil rights law. Under the ADA, civil rights are guaranteed to individuals who experience discrimination because they; 1) have a physical or mental impairment that substantially limits a major life activity, 2) have a record of such an impairment, and 3) are regarded as having such an impairment. Interpretation of the law and its enforcement was intended to be carried out on a case-by-case basis through the nation's legal system. Specific complaints of individuals may be filed with a number of different federal agencies including the Equal Employment Opportunity Commission (Title I), the United States Department of Justice (Titles II and III), the United States Department of Transportation (Titles II and III), and the Federal Communications Commission (Title IV).

The ADA is divided into five titles or sections:

- Title I: Employment
- Title II: State and Local Government and Public Transportation
- Title III: Public Accommodations and Services Operated by Private Entities
- Title IV: Telecommunications
- Title V: Miscellaneous Provisions

The City of Brockton is bound specifically by Titles I and II.

There is a basic process for complying with the Americans with Disabilities Act:

- Learning about the requirements of the ADA and how it applies to a facility or program;
- Conducting a survey to identify barriers;
- Establishing a list of potential modifications for barrier removal, including changes to policies, facilities, and cost estimates;
- Removing existing barriers. The ADA prohibits discrimination based upon disability in all services, programs, and activities provided by small local governments (i.e., cities and towns). Thus, people with disabilities must have an equal opportunity to participate in and benefit from a city's services, programs and activities. To accomplish this, the ADA sets requirements for city facilities, new construction and alterations, communication with the public and policies and procedures governing city programs, services, and activities. All cities must perform a self-evaluation of their policies, practices, programs, procedures, services, etc. (including communication) to determine compliance under the ADA. Cities must make reasonable changes to these policies, programs, services, etc. to avoid discrimination against individuals with disabilities unless such modification results in a fundamental alteration in that program or service.

The 2008 Amendments to the ADA broadened the definition of "disability", extending the ADA's protections to more people. The 2008 Amendments provided examples which limit "major life activities" including, but not limited to, "caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working" as well as the operation of several specified major bodily functions. The Amendments also stated that when determining whether one qualifies as disabled, one cannot consider the mitigating effects of assistive devices, auxiliary aids, accommodations, medical therapies, and supplies.

To be protected under the ADA, an individual with a disability must also be qualified to perform the essential functions of a job with or without reasonable accommodation. In 2010, the Department of Justice's revised regulations for Titles II and III of the ADA of 1990. These regulations adopted revised, enforceable accessibility standards called the 2010 ADA Standards for Accessible Design. 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 could be used for new construction and alterations under Titles II and III until March 14, 2012.

4.2.1 Title I

Equal Employment Opportunity

The ADA guarantees equal employment opportunities to people with disabilities who are qualified for a job. The ADA specifically prohibits discrimination in all activities relating to employment. This includes hiring, termination, compensation, recruitment, tenure, job training, advancement and promotion, layoff, fringe benefits, and any other employment-related benefits or activities. Employers, including municipal governments, should carefully review their employment policies and procedures to eliminate discriminatory practices. In many cases, discrimination is unintentional, due to a lack of knowledge and awareness of the employer. The ADA covers all aspects of “employment” including the application and interview process, hiring, promotion, termination, compensation and benefits, and training.

Reasonable Accommodations

Qualified applicants for employment are entitled to “reasonable accommodation” during the hiring process and as part of his/her employment. The term reasonable accommodation can mean many different things depending on the circumstance and what is “reasonable” under that circumstance. It may mean modifying an existing facility so that a person with a disability can perform his/her job (i.e., replace a door handle with a lever, lower a countertop, etc.), changing the way things are customarily done (office policy, work hours, etc.) or restructuring a job.

It is the responsibility of the employer to provide reasonable accommodation unless it imposes an “undue hardship” on the employer or detracts from the essential functions of a position. Once the proposed accommodation becomes too difficult or expensive, it can be deemed as no longer reasonable and therefore, not required. Caution: What is unreasonable for an employer of six persons, may be deemed reasonable for an employer of twenty-five persons.

4.2.2 Title II

Program Accessibility

The ADA guarantees people with disabilities equal opportunity to participate in all programs, services, and activities of state and local government. Accessibility standards must be followed for new construction as well as accommodation. These standards are based on the ADA Accessibility Guidelines (ADAAG) as developed by the U.S. Access Board provide guidance to the ADA Standards for Accessible Design as enforced by the U.S. Department of Justice (DOJ), U.S. Department of Transportation (DOT), and the federal courts and apply nationwide.

The ADAAG involves a distinction between public or common use area and employee work areas. Public/common use areas must be fully accessible. Employee work areas may be addressed through Title I and "reasonable accommodations" made when the need arises. A higher level of expectation is anticipated for governmental entities than that of the private sector. Regardless of receipt of federal aid, all local governments and their boards, departments, commissions, and districts are subject to the provisions of the ADA. Access to services is a critical aspect and basic premise of the ADA.

Governmental sponsored programs, services and activities must be available to all, regardless of disability. If structural changes to buildings are required, a transition plan is also usually required. New construction and/or additions to local governmental buildings must be fully compliant and accessible to those with disabilities. Alterations to space used by the public as well as employee work areas must also be ADA compliant unless it is "technically infeasible" to do so (i.e., involves structural, physical, or site constraints). If technically infeasible, the alteration must comply "to the maximum extent feasible". Existing buildings require that the services or programs offered in that facility are readily accessible.

When programs, services, or activities are in facilities that existed prior to January 26, 1992, the effective date of Title II of the ADA, towns must make sure that they are also available to persons with disabilities. If, however, it requires that these programs, services, or activities are substantially altered to provide access or results in undue financial or administrative burden, then reasonable alternatives or accommodations may be allowed.

Effective Communication

Local governments must ensure effective communication with individuals with disabilities. Where necessary to ensure that communications with individuals with hearing, vision, or speech impairments are as effective as communications with others, municipal governments must provide appropriate auxiliary aids. The type of auxiliary aid or service necessary to ensure effective communication will vary according to the type of communication involved and the needs of the individual. "Auxiliary aids" include services or devices such as: sign language interpreters, assistive listening headsets, television captioning and decoders, telecommunications devices for deaf persons (TDD's), videotext displays, readers, taped texts, Braille materials, computer disks, audio recordings, and large print materials. In addition, telephone emergency services, including 911 services, must provide direct access to individuals with speech or hearing impairments.

Municipal governments are not required to provide auxiliary aids or take any actions that would result in a fundamental alteration to the nature of a service, program, or activity or that will result in undue financial and administrative burdens. However, alternative auxiliary aids that do not result in a fundamental alteration or undue burden must be provided. For example, it is not necessary to provide sign language interpreters for all interactions with people who are deaf or hard of hearing. Daily interaction may suffice through written notes or similar exchanges. However, public meetings,

interrogations by local police officers, or similar technical interactions will most likely require interpreters or assistive listening systems. It is required that alternative auxiliary aids be available that do not result in financial or administrative burdens yet meet the needs of the disabled individual.

4.2.3 Title III

Title III of the Americans with Disabilities Act requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. It is intended that all individuals have the opportunity to benefit from businesses and services of a place of public accommodation. The regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable.

Public accommodations that must meet the barrier removal requirement include a broad range of establishments (both for- and non-profit) such as inns, hotels, motels, restaurants, bars, theaters, concert halls, stadiums, museums, auditoriums, retail stores, grocery stores, bakeries, laundromats, banks, barber and beauty shops, gas stations, professional offices, medical offices, private schools, health spas, bowling alleys and other places that serve the public. Private entities that own, lease, lease out, or operate places of public accommodation in existing buildings are responsible for complying with the barrier removal requirement. Private clubs and religious organizations, including places of worship, are exempt from the ADA public accommodation requirements.

4.2.4 Title IV

Title IV requires common carriers engaged in interstate communications by wire or radio to provide telecommunications relay services for both hearing- and speech-impaired individuals. Regulations developed to implement this provision require that these services operate 24 hours a day. It is the intention to give those people with hearing and speech impairments the opportunity to communicate with any other individual. This is to be achieved in a manner such that the users are not paying greater rates than those for equivalent services used by people without hearing or speech impairments. In addition, any televised public service announcements provided or funded in whole or in part by any federal agency or instrument of the federal government must include closed captioning of the verbal content of such announcement.

4.2.5 Title V

Title V consists of various miscellaneous provisions of the ADA including a requirement for the development of technical assistance manuals by the appropriate regulatory federal agency, a report on the ADA and wilderness areas, a description of the responsibility of the United States Congress, religious organizations, and enforcement and dispute resolution.

4.3 Definition of Commonly Used Terms

Disability - a physical or mental impairment that substantially limits a major life activity, such as walking, seeing, hearing, learning, breathing, caring for oneself, or working. To be protected under the ADA, a person must have, have a record of, or be regarded as having a record of, a substantial impairment. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, caring for oneself, learning or working. Individuals who have successfully completed or are currently enrolled in a drug or alcohol rehabilitation program are also considered to be disabled. The ADA protects three classes of people with disabilities:

- those who have a disability, and
- those who have a record of having a disability, and
- those who are regarded as having a disability, whether or not they actually have one.

Qualified Individual with a Disability - an employee or job applicant who meets legitimate skill, experience, education, or other requirements of an employment position that he or she holds or seeks. The person must also be able to perform the "essential" (as opposed to marginal or incidental) functions of the position either with or without reasonable accommodation. Job requirements that screen out or tend to screen out people with disabilities are legitimate only if they are job-related and consistent with business necessity.

Reasonable Accommodation - any change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. For example, reasonable accommodations may include: acquiring or modifying equipment or devices, job restructuring, modifying work hours, making the workplace structurally accessible to individuals with disabilities, reassigning an employee with a disability to an equivalent position as soon as one becomes vacant, providing qualified readers for the blind or interpreters for the deaf, and/or appropriately adjusting or modifying examinations, training materials, or policies.

Essential Functions – the basic job duties that an employee must perform, with or without reasonable accommodation.

Readily Achievable - the removal of physical barriers which are easily accomplishable without much difficulty or expense. The "readily achievable" requirement is based on the size and resources available. For example, a larger business with more resources is expected to take a more active role in removing barriers than smaller businesses. The ADA also recognizes that economic conditions vary. When a business has resources to remove barriers, it is expected to do so; but when profits are down, barrier removal may be reduced or delayed. Barrier removal is an ongoing obligation, thus physical barriers must be removed as resources become available in the future.

Undue Hardship - an action or accommodation which requires significant difficulty or expense for an entity. Criteria for making such a determination include the nature and cost of the accommodation, the financial resources of the employer, or the impact of such accommodations on the financial resources of the employer.

Programmatic Access –Programmatic access requires that a public entity shall operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.

4.4 Program Accessibility

Under Title II of the ADA, the City of Brockton must ensure that when “viewed in entirety,” all programs, services, and activities that are offered must be equally available to persons with disabilities. The City is not necessarily required to remove architectural barriers from a building or site, but rather, must make sure that its programs are accessible. Non-structural methods to achieve program accessibility include:

- relocating a program or service to an accessible location in the existing building or facility, or
- relocation of a program or service to a different building or facility, or
- providing short-term or intermediate modifications to ensure program access until a permanent or structural solution is achieved (Example – creating an accessible meeting space on an accessible floor of a building such that staff providing services on an inaccessible floor can meet with persons in the accessible floor space)

4.5 Other Federal Accessibility Regulations

Architectural Barriers Act (ABA) - 1968

The Architectural Barriers Act requires access to facilities designed, built, or altered with Federal funds or leased by Federal agencies. The law covers a wide range of facilities, including post offices, social security offices, prisons, and national parks. It also applies to non-government facilities that have received Federal funding, such as certain schools, public housing, and mass transit systems. Passed in 1968, the ABA is the first measure by Congress to ensure access to the built environment. Facilities that predate the law are generally not covered, but alterations or leases undertaken after the law took effect can trigger coverage. Building construction changes made under this law must meet the Uniform Federal Accessibility Standards (UFAS). Special provisions are included in the UFAS for historic buildings that would be threatened or destroyed by meeting full accessibility requirements.

Rehabilitation Act - 1973

The Rehabilitation Act requires recipients of federal financial assistance to make their programs and activities accessible to everyone. Recipients are allowed to make their properties accessible by altering buildings, by moving programs and activities to accessible spaces, or by making other

accommodations. It also protects the rights of Federal employees with disabilities. The law also requires electronic and information technology procured by Federal agencies to be accessible according to certain established standards.

Voting Accessibility for the Elderly and Handicapped Act - 1984

The Voting Accessibility for the Elderly and Handicapped Act of 1984 generally requires polling places across the United States to be physically accessible to people with disabilities for federal elections. Where no accessible location is available to serve as a polling place, a political subdivision must provide an alternate means of casting a ballot on the day of the election. This law also requires states to make registration and voting aids available for disabled and elderly voters, including information by telecommunications devices for the deaf (TDDs), which are also known as teletypewriters (TTYs).

Telecommunications Act - 1996

The Telecommunications Act of 1996 requires telecommunications products and services to be accessible according to guidelines developed by the Access Board. It covers a broad range of products, including telephones, cellular phones, pagers, and fax machines. The Federal Communications Commission (FCC) enforces the requirements of the law.

Help America Vote Act – 2002

Each polling place must have at least one accessible voting machine by January 1, 2006, under the Help America Vote Act. The act (Public Law 107-252), which was signed by President Bush on October 29, 2002, also requires each piece of voting equipment bought with federal money on or after January 1, 2007, to be accessible.

4.6 521 Code of Massachusetts Regulations – Architectural Access Board

Section 521 of the Code of Massachusetts Regulations, "521 CMR: Architectural Access Board" is a specialized section of the State Building Code which provides the actual construction standards and specifications which must be adhered to for work performed on "public" buildings (see definition of public building in 521 CMR) in the Commonwealth of Massachusetts. The purpose of 521 CMR is to make public buildings and facilities accessible to, functional for, and safe for use by persons with disabilities. It is the intent of 521 CMR to provide persons with disabilities full, free, and safe use of all buildings and facilities so that all such persons may have the educational, living, and recreational opportunities necessary to be as self-sufficient as possible and to assume full responsibilities as citizens.

The Massachusetts Architectural Access Board (MAAB) is a regulatory agency whose mandate, as established under M.G.L. c.22 S13A, is to develop and enforce regulations pertaining to public access. The MAAB also decides on variance requests, issues advisory opinions, and makes decisions on complaints. Local building inspectors are responsible for enforcement of the provisions of 521 CMR.

Jurisdiction of 521 CMR

All additions to, reconstruction, remodeling, and alterations or repairs of existing public buildings, which require a building permit, or which are so defined by a state or local inspector, shall be governed by those applicable sections of 521 CMR. If the work being performed amounts to less than 30% of the full and fair cash value of the building and:

- a) the work costs less than \$100,000, then only the work being performed is required to comply with 521 CMR; or
- b) the work costs \$100,000 or more, then the work being performed is required to comply and an accessible entrance, toilet, telephone and drinking fountain (if toilets, telephones and drinking fountains are provided) are also required.

If the work performed amounts to 30% or more of the full and fair cash value of the building, the entire building is required to comply with 521 CMR. Where the cost of constructing an addition to a building amounts to 30% or more of the full and fair cash value of the existing building, both the addition and the existing building must be fully accessible.

A historic building or facility that is listed or is eligible for listing in the National or State Register of Historic Places or is designated as historic under appropriate state or local bylaws may be granted a variance by the MAAB to allow alternate accessibility.

The MAAB Regulations also address various circumstances involving change in use, work performed over a period of time, multiple uses of one building, outdoor facilities, temporary structures, security structures and non-occupiable spaces. For more information on these areas, the administrative process (variances, complaints, hearings) as well as specific architectural requirements, reference to 521 CMR should be made.

4.7 Alteration to Historical Properties

ADA 2010 Standards

There are exceptions for alterations to qualified historic buildings and facilities for accessible routes (206.2.1 Exception 1 and 206.2.3 Exception 7); entrances (206.4 Exception 2); and toilet facilities (213.2 Exception 2). When an entity believes that compliance with the requirements for any of these elements would threaten or destroy the historic significance of the building or facility, the entity should consult with the State Historic Preservation Officer. If the State Historic Preservation Officer agrees that compliance with the requirements for a specific element would threaten or destroy the historic significance of the building or facility, use of the exception is permitted.

Public entities have an additional obligation to achieve program accessibility under the Department of Justice ADA regulations (See 28 CFR (Code of Federal Regulation) 35.150). These regulations require

public entities that operate historic preservation programs to give priority to methods that provide physical access to individuals with disabilities. If alterations to a qualified historic building or facility to achieve program accessibility would threaten or destroy the historic significance of the building or facility, fundamentally alter the program, or result in undue financial or administrative burdens, the Department of Justice ADA regulations allow alternative methods to be used to achieve program accessibility.

In the case of historic preservation programs, such as a historic house museum, alternative methods include using audiovisual materials to depict portions of the house that cannot otherwise be made accessible. In the case of other qualified historic properties, such as a historic government office building, alternative methods include relocating programs and services to accessible locations. The Department of Justice ADA regulations also allow public entities to use alternative methods when altering qualified historic buildings or facilities in the rare situations where the State Historic Preservation Officer determines that it is not feasible to provide physical access using the exceptions permitted in Section 202.5 without threatening or destroying the historic significance of the building or facility. See 28 CFR 35.151(d).

Massachusetts 521 CMR

A historic building or facility that is listed or is eligible for listing in the National or State Register of Historic Places or is designated as historic under appropriate state or local laws may be granted a variance by the Architectural Access Board to allow alternate accessibility. If a variance is requested based on historical significance, then consultation with the Massachusetts Historical Commission is required to determine whether a building or facility is eligible for listing or listed in the National or State Register of Historic Places. The Massachusetts Historical Commission may request a copy of the proposed variance request and supporting documentation to substantiate the variance request and its effect on historic resources. A written statement from the Massachusetts Historical Commission is required with the application for variance.

5.0 ADA Self-Evaluation

All municipalities must perform a self-evaluation of their policies, practices, programs, procedures, services, etc. (including communication) to determine compliance under the ADA. Municipalities must make reasonable modifications to these policies, programs, services, etc. to avoid discrimination against individuals with disabilities unless such modification would result in a fundamental alteration in the nature of that program or service.

Although the ADA only requires local governments with 50 or more employees to take additional, specific measures, it is strongly encouraged that even smaller municipalities with less than 50 employees follow the same process to ensure overall compliance with the ADA. These additional measures include:

- 1) the designation of an individual to coordinate ADA compliance

- 2) the development of a transition plan, and
- 3) the development of an ADA grievance procedure.

All local governmental entities were required to complete a self-evaluation of their facilities, programs, policies, and practices by January 26, 1993. The self-evaluation identifies and corrects those policies and practices that are inconsistent with Title II's requirements. Self-evaluations should consider all of a municipality's programs, activities, and services, as well as the policies and practices that it has put in place to implement its various programs and services. Remedial measures necessary to bring the programs, policies, and services into compliance with Title II should be specified - including, but not limited to:

- 1) relocation of programs to accessible facilities;
- 2) offering programs in an alternative accessible manner;
- 3) structural changes to provide program access;
- 4) policy modifications to ensure nondiscrimination; and
- 5) auxiliary aids needed to provide effective communication.

Under Title II of the ADA a municipality is required to:

1. Designate a responsible employee as ADA Coordinator.
2. Adopt and distribute a Public Notice on the municipality's ADA policies and procedures.
3. Adopt, distribute and/or post an ADA Grievance Procedure.
4. Modify, maintain, and update policies, procedures, and practices, including job descriptions and hiring practices, as required.
5. Provide Reasonable Accommodations to qualified individuals with disabilities.
6. Maintain and upkeep accessible features.
7. Provide auxiliary aids and services to ensure effective communications to those with disabilities.

It is also recommended under the provisions of Massachusetts G.L. C. 40, section 8J that towns establish a 5-to-13-member Commission on Disability. This can be achieved through acceptance of "the provisions of Massachusetts G.L. C. 40, Section 8J relative to the establishment of the municipal Commission on Disability".

5.1 ADA Coordinator (ADA Title II – 28 CFR Part 35.107 (a))

The role of the ADA Coordinator is extensive and includes:

- ensuring overall compliance with the ADA
- notification and outreach
- addressing grievances as filed under the town's established grievance policy
- insuring timely implementation of the town's transition plan
- on-going assessment of programs and services

- serving as a technical advisor and resource on accessibility matters.

For a municipality to successfully comply with the intent of the ADA, it is critical that its ADA Coordinator take a pro-active role in performing his or her role. It is not adequate for an ADA Coordinator to serve only as a decision-making authority under the city's ADA grievance procedure. The ADA Coordinator must monitor daily and long-term compliance with the city's ADA policies, procedures, and plans. This includes ADA compliance and assurance pertaining to postings, employment practices, education, dissemination of literature to the public and private businesses, daily activities and practices of city government, ensuring that facilities are properly maintained, serving as a city-wide resource on accessibility matters and issues, and staying current on changes in state and federal law, regulations, programs, policies, interpretations, and decisions which affect persons with disabilities.

5.2 Public Notice (ADA Title II – 35 CFR Part 35.106)

Title II of the ADA requires that public entities notify participants of its non-discrimination policies. Similarly, there should also be notification of non-discrimination policies relative to persons with disabilities in brochures and other materials provided to the public and on a city's website. All Notices should also include the ADA Coordinator's name and contact information. It is recommended that the City of Brockton post an ADA Public Notice on the official City website.

5.3 ADA Grievance Procedure (ADA Title II – 35 CFR Part 35.107 (b))

The ADA Title II regulations require that all municipalities with 50 or more employees (regional school systems must prorate the number of employees for each member community) adopt and publish grievance procedures. The purpose is to encourage local resolution of complaints concerning employment, services, programs, and activities. It is important to note that complainants are not required to exhaust the municipality's procedures before filing a federal complaint or taking court action.

The regulations do not stipulate timeframes or procedures for the grievance procedure; however, the following are recommended:

- A detailed description of the procedures for submitting a complaint;
- A two-step review process which allows for appeal;
- Reasonable timeframes for review and resolution of the complaint;
- Good record keeping for all complaints submitted and documentation of steps taken toward resolution.

It is recommended that the City of Brockton post an ADA Grievance Procedure on the official City website.

5.4 Policies/Procedures/Practices (ADA Title II – 35 CFR Part 35.130 (b)(7))

A municipality should have formal separate policies and procedures pertaining to the ADA and program accessibility, grievances, communications, equal opportunity, and non-discrimination except when it comes to employment opportunities. The City should also include non-discrimination language in its employment postings and/or forms similar to that provided below.

The City of Brockton does include the following language in its employment posting and forms:

“The City of Brockton is an Equal Opportunity/ Affirmative Action Employer. We assure you that your opportunity for employment with the town will be based only on your merit, without regard to race, religion, sex, age, national origin, or disability.”

The Council on Aging lists a variety of programs, activities, and trips in its pamphlet. It is recommended that the Council add language to indicate how someone needing accommodations can be receive them and who they should contact withing City Government to receive said accommodations.

5.5 Reasonable Accommodations (ADA Title II – 35 CFR Part 35.140 (a))

Under the ADA, a person is considered a qualified individual with a disability if s/he can perform essential functions of the job with or without reasonable accommodation. Although the ADA does not require an employer to have job descriptions, they can be used as evidence of the essential functions of the job. Job descriptions should be up-to-date and should differentiate between the essential and the marginal duties of the position.

The City of Brockton has a “Reasonable Accommodation Policy” listed on the Human Resources webpage.

5.6 Maintenance (ADA Title II – 28 CFR Part 35.133 (a))

A municipality must maintain in operable working conditions those features that are necessary to provide access to services, programs, and activities. This includes door closers, sidewalks, parking space signage and striping, and ramps, among many other things. Isolated or temporary interruptions in service or access are permitted for maintenance or repairs. However, this is deemed as short-term and not of a semi-permanent or seasonal nature.

When weather conditions such as snow and ice limit or prevent access to services, programs, and activities to or within a facility, access must be maintained to ensure that those programs are accessible. Maintenance of accessible features includes the removal of snow from accessible parking spaces; curb ramps, accessible routes of travel, and entrances. Although temporary interruptions in services due to bad weather are expected, alternate services must be provided if snow and ice cannot be cleared in a timely manner. Snow removal and removal of other obstructions within the accessible route of travel

must be done to a minimum width of 36". Similarly, if an elevator, lift, or similar accessible-related device is not working properly and is denying access, repairs must be made in a timely manner. In the interim, alternative services must be provided.

5.7 Effective Communication, Auxiliary Aids and Services (ADA Title II – 28 CFR Part 35.160)

Local governments must ensure effective communication with individuals with disabilities. To ensure communication with individuals who have hearing, vision or speech impairments, municipal governments must provide appropriate auxiliary aids. The type of auxiliary aids or services necessary to ensure effective communication will vary according to the type of communication involved and the needs of the individual. Auxiliary aids include such services or devices as sign language interpreters, assistive listening headsets, television captioning and decoders, telecommunications devices for people who are deaf such as TDD's or video phones, use of 911 telephone interpreter service, readers, Braille materials, documents on electronic format, audio recordings and large print materials. In addition, telephone emergency services including 911 must provide direct access to individuals with speech and hearing impairments.

Municipal governments are not required to provide auxiliary aids or take any actions that would result in a fundamental alteration to the nature of a service, program, or activity or that will result in undue financial and administrative burdens. However, alternative auxiliary aids that do not result in a fundamental alteration or undue burden must be provided. For example, it is not necessary to provide sign language interpreters for all interactions with people who are deaf or hard of hearing. Daily interaction may suffice through written notes or similar exchanges. However, public meetings, interrogations by local police officers, or similar technical interactions will most likely require interpreters or assistive listening systems. It is required that alternative auxiliary aids be available that does not result in financial or administrative burdens yet meet the needs of the disabled individual.

5.8 Website Accessibility (Web Content Accessibility Guidelines 2.0 AA or Section 508 Standards)

Title II of the Americans with Disabilities Act requires that local governments ensure that, when viewed in their entirety, the programs, services, and activities offered are equally available to people with disabilities. Websites of local governments are considered to be a "program" and should be accessible to the standards of the Web Content Accessibility Guidelines 2.0 AA or Section 508 Standards.

Many people with disabilities use assistive technology that enables them to use computers. Some assistive technology involves separate computer programs or devices such as screen readers, text enlargement software, and computer programs that enable people to control the computer with their voice. Other assistive technology is built into computer operating systems. For example, basic accessibility features in computer operating systems enable some people with low vision to see

computer displays by simply adjusting color schemes, contrast settings, and font sizes. Operating systems enable people with limited manual dexterity to move the mouse pointer using keystrokes instead of a standard mouse.

Poorly designed websites can create unnecessary barriers for people with disabilities. The following are common problems and solutions in website accessibility:

- a) **Images Without Text Equivalents:** Persons with low vision often use screen readers and refreshable Braille displays to access information on a webpage. These technologies read text; however, they cannot translate “images” into speech or Braille. Images include photographs, charts, color-coded information, or other graphic elements on a webpage. The solution to this problem would be to add a line of HTML code to provide text for each image and graphic so that the user can understand what the image is.
- b) **Documents Are Not Posted in an Accessible Format:** Municipalities will often post documents on their websites using Portable Document Format (PDF). However, PDF documents, or those in other image-based formats, are often not accessible to blind people who use screen readers and people with low vision who use text enlargement programs or different color and font settings to read computer displays. The solution would be to always provide documents in an alternative text-based format, such as HTML or RTF (Rich Text Format), in addition to PDF. Text-based formats are the most compatible with assistive technologies.
- c) **Specifying Colors and Font Sizes :** Websites are often designed in a manner such that everything is exactly the same color, size, and layout. But because of one’s disability, a person with low vision does not see webpages the same as other people. Some see only small portions of a computer display at one time. Others cannot see text or images that are too small. Still others can only see website content if it appears in specific colors. For these reasons, many people with low vision use specific color and font settings when they access the Internet – settings that are often quite different from those most people use. For example, many people with low vision need to use high contrast settings, such as bold white or yellow letters on a black background. Others need just the opposite – bold black text on a white or yellow background. And many must use softer, more subtle color combinations. Users need to be able to manipulate color and font settings in their web browsers and operating systems to make pages readable. Some webpages, however, are designed so that changing the color and font settings is impossible. The solution is to design websites so they can be viewed with the color and font sizes set in users’ web browsers and operating systems. Users with low vision must be able to specify the text and background colors as well as the font sizes needed to see webpage content.
- d) **Videos and Other Multimedia Lack Accessible Features:** Due to increasing bandwidth and connection speeds, videos and other multimedia are becoming more common on the websites of local governments. Today, some government entities use their websites to post training videos for their employees, feature automated slide shows of recent public events, and offer video tours of local attractions. These and other types of multimedia can present two distinct problems for people with different disabilities. People who are deaf or hard of hearing can generally see the information presented on webpages. However, a deaf person or someone who

is hard of hearing may not be able to hear the audio track of a video. On the other hand, people who are blind or have low vision are frequently unable to see the video images but can hear the audio track. The solution is to incorporate features that make them accessible to everyone. Provide audio descriptions of images (including changes in setting, gestures, and other details) to make videos accessible to people who are blind or have low vision. Provide text captions synchronized with the video images to make videos and audio tracks accessible to people who are deaf or hard of hearing.

- e) Other considerations when developing websites include:
- include a “skip navigation” link at the top of webpages that allows people who use screen readers to ignore navigation links and skip directly to webpage content;
 - minimize blinking, flashing, or other distracting features;
 - if they must be included, ensure that moving, blinking, or auto-updating objects or pages may be paused or stopped;
 - design online forms to include descriptive HTML tags that provide persons with disabilities the information they need to complete and submit the forms;
 - include visual notification and transcripts if sounds automatically play;
 - provide a second, static copy of pages that are auto-refreshing or that require a timed-response;
 - use titles, context, and other heading structures to help users navigate complex pages or elements (such as webpages that use frames).

5.9 Emergency Preparedness, Evacuation Plans, and Emergency Shelters (ADA Title II)

The Department of Justice views emergency preparedness plans as key components of a municipality’s responsibility to accessibility compliance. These plans and facilities should be adapted to address the needs of those with a disability and/or who require a reasonable accommodation.

5.10 Polling Places

Under the ADA, Help America Vote Act, Voting Accessibility for the Elderly and Handicapped Act, and Massachusetts General Laws, polling places are required to be accessible to persons with disabilities. This includes site access, parking, entrances, interior access, and voting equipment. In addition, registration and voting aids for the disabled and elderly are required, including information by alternative accessible means.

The Elections Division of the Secretary of the Commonwealth of Massachusetts (Elections Division) office works with each municipal clerk to ensure polling places are accessible by meeting state (and federal) regulations. All polling locations in Massachusetts are required to be accessible and must provide access on a permanent or temporary basis on Election Day. Voting assistance and absentee voting offer options that persons with disabilities may use to vote but are not considered substitutes to actual accessibility to the voting location. Both federal law and state requirements mandate that voting systems be equipped for voters with disabilities allowing such voters to have the same opportunity to

vote privately and independently. It is required that every precinct must have at least one accessible voting machine available.

According to the Elections Division, there is at least one accessible marking unit in every polling place in Massachusetts. The “AutoMARK Voter Assist Terminals” are marking devices that use audio cue capacity for visually impaired voters. The AutoMARK also has a feature that will greatly magnify the ballot or display the ballot high contrast for voters that have limited visual impairment. The AutoMARK can also produce an oral report to the voter as the choices selected prior to the voter printing the ballot.

5.11 Commission on Disability (MGL c40 Sect 8J)

Massachusetts General Law Chapter 40 Section 8J gives municipalities the authority to establish commissions. The function of a disabilities commission is to:

- Advise and assist municipal officials in ensuring compliance with federal and state disability laws;
- Review policies and activities of municipal departments and boards as they affect persons with disabilities;
- Provide information, referral, advocacy and technical assistance to individuals, businesses and organizations in all matters pertaining to disability;
- Coordinate the activities of other local groups organized to meet the needs of persons with disabilities.

Commissions consist of no less than five (5) and no more than thirteen (13) members chosen by the Board of Selectman or Town Manager (in a town) and the Mayor or City Manager (in a city). The majority must be people with disabilities, and one may be a member of the immediate family of a person with a disability. In addition, one member must be an elected or appointed municipal official.

We suggest the City form a Disability Commission by adopting MGL Chapter 40 Section 8j and appointing members who can be the Cities voice for people with disabilities. The City can also adopt MGL Chapter 40 Section 22G so the Commission can use the parking fine money collected by the City for violations of Handicapped Parking to fund some projects in the City that benefit people with Disabilities. Some examples would be HP Parking Signs, automatic door openers, etc.

6.0 ADA Transition Plan

In accordance with the ADA Standards, an assessment of the City of Brockton’s public facilities inclusive of public buildings, active and passive recreation facilities, and schools was conducted to identify physical barriers to programs and services. This assessment or “transition plan” includes the following elements, which fulfill the requirements for the preparation of a transition plan:

- identification of physical obstacles in the building or facility that limit the accessibility of its programs or activities to persons with disabilities, and
- 2010 ADAAG citation, and
- a description of methods or type of action to be taken to eliminate identified obstacles, and
- priority of removal of barrier, and
- feasibility of removal of barrier, and
- establishment of a recommended completion date to achieve accessibility, and
- general cost parameters for each action to be taken, and
- responsible party for implementation.

6.1 Limitations of the Transition Plan and Compliance

The primary obligation under Title II of the ADA is to ensure that programs and services are equally available to persons with disabilities. Municipalities are required to adhere to the 2010 Standards for Accessible Design in new construction and alterations. Programs must be relocated, or access provided in inaccessible existing facilities as of the effective date of the ADA or January 26, 1992. When existing facilities comply with the 1991 Standards, there is no requirement to update to the current 2010 Standards. However, if conditions in existing facilities do not adhere to the original Standards, then the 2010 Standards must be followed.

ADA Safe Harbor: Elements in facilities built or altered before March 15, 2012, that comply with the 1991 ADA Standards for Accessible Design (1991 Standards) are not required to be modified to specifications in the 2010 Standards. For example, the 1991 Standards allow the maximum side reach of a control or dispenser to be 54 inches. The 2010 Standards lowered that side reach range to 48 inches maximum. If a control or dispenser was installed prior to March 15, 2012, with its highest operating part at 54 inches, that control or dispenser does not need to be lowered to 48 inches. Since the dispenser complies with the 1991 Standards, that Standard provides a “safe harbor”.

Tolerances: Both the 2010 ADA Standards and 521 CMR allow for “tolerances as follows:

2010 ADA Standards All dimensions are subject to conventional industry tolerances except where the requirement is stated as a range with specific minimum and maximum end points.

521 CMR

- Dimensions between zero and two inches, (0" and 2") inclusive, shall have a maximum tolerance of plus or minus one-eighth inch (1/8").
- Dimensions more than two inches and less than 36 inches (>2" and <36") shall have a maximum tolerance of plus or minus one-half inch (1/2").

For the purposes of this plan, unless specifically noted, facility assessments are based on the 2010 ADA Standards.

The plan does not address what is accessible, but rather obstructions to mobility. Fieldwork was performed in May and June 2023. Although general recommendations are made as corrective actions to eliminate identified obstacles, it is expected that the City will be solely responsible for designing the specific construction solution in accordance with 521 CMR: Architectural Access Board Regulations or the 2010 ADA Standards for Accessible Design, whichever is appropriate.

As part of the transition plan assessment, deficiencies, or limitations to access were identified at each location. The actions noted in this plan to be taken in removing obstacles to mobility are descriptive and are not intended to be construction specifications. The specific construction action can vary substantially depending on desirability and type of materials. In addition, historically significant properties can result in additional cost due to more architecturally sensitive construction alternatives (historic properties discussed elsewhere in this Plan). As a result, the costs can vary accordingly. The party responsible for implementing the identified action will be responsible for working with the city's building inspector and a design professional, if necessary, so as to ensure compliance with 521 CMR and/or the ADA Standards. Where appropriate, due to historic considerations, building configuration, or extent of use, a combination of programmatic solutions and construction alternatives are provided. Such measures are in full compliance with Title II of the ADA. In circumstances where there are differences in the compliance requirements between 521 CMR and the ADAAG, the stricter or more encompassing standard shall apply.

The Department of Justice issued 1991 Standards for Accessible Design to address physical barriers to facilities and transportation. There were technical amendments to these standards in 1994 followed by more substantive amendments in 2010 (2010 ADA Standards for Accessible Design). These 2010 Standards revised policy requirements for certain areas such as service animals. The 2010 Standards also addressed certain physical components including assembly seating, the establishment of construction tolerances for certain items and formalized standards for docks, fields, pools, and other recreational facilities.

As is the circumstance with 521 CMR of the Massachusetts State Building Code, under the Federal ADA, construction modifications for accessibility compliance are not required unless triggered by renovation and/or new construction. Municipalities must still ensure that individuals are not excluded from programs and services because buildings or facilities are inaccessible. This can be accomplished through relocating a program or service to an accessible location or other means of reasonable accommodation.

6.2 Use of the Transition Plan

This plan is intended to be a working document. If a barrier was overlooked, it can easily be added to the plan. Programs and services can be modified and adapted over time as needed. Similarly, policies and procedures can be modified and adopted to reflect current legislative requirements. Actual construction methods to arrive at a solution for an identified problem may vary depending on final plans

and specifications. The City should use this plan as a guide for compliance and modify it as needed without altering its initial intent and efforts of compliance. In addition, the inventory of barriers can be used in concert with the City's capital budget process to assist in the determination of how and when to proceed with the many suggested improvements.

The plan provides a description of the obstacle which limits mobility or access, 2010 ADA Standards citation reference, the type of action required to be taken for compliance, the priority for the action, the feasibility of undertaking the action, the timeframe for completion, a representative photo, and a general parameter of cost.

6.3 Priority

Each architectural barrier has also been ranked according to the priority of removal based upon the type of access that is affected. The priority rankings (#1 being the highest priority and #4 being the lesser priority) are determined by the ADA and are defined as follows:

<u>PRIORITY</u>	<u>DESCRIPTION</u>
1.	Accessible approach and entrance
2.	Access to goods and services
3.	Access to public toilet rooms
4.	Access to other items (i.e. – water fountains, public telephones, etc.)

6.4 Feasibility

Each architectural barrier has been ranked according to the feasibility of removing that particular barrier. The feasibility rankings are somewhat subjective and are based on a perceived degree of difficulty or skill level required to remove an architectural barrier. These rankings are as follows:

<u>RANKING</u>	<u>DESCRIPTION</u>
1.	Can be easily undertaken (i.e., move furniture, put sign on a wall)
2.	Can be undertaken by maintenance staff, DPW, etc. (i.e., install post and sign, move dispensers, adjust door closer, change door hardware)
3.	Minor modifications which require skilled or specialized work (build ramp, alarm installation, sink/toilet installation, etc.)
4.	Major modifications which require skilled or specialized work (structural changes, building additions, elevators/lifts, etc.)

6.5 Timeframe

A recommended timeframe for removing the architectural barrier is provided as follows:

<u>TIME FRAME</u>	<u>DESCRIPTION</u>
I	Immediate Term (2024-2025)
N	Near Term (2026-2030)
L	Long Term (2031-2035)

6.6 Costs

Cost estimates are based on BlueDAG software, and the barrier removal listed in the software. Cost estimates are also based on the type and complexity of work. It is assumed that simple changes (Feasibility ranking of 1 or 2) will be made through the use of City personnel (custodial, DPW, etc.). More complex construction or those projects requiring specialized skills (Feasibility ranking of 3 or 4), would involve private contractors and include labor, overhead, and profit.

7.0 ADA Self Evaluation and Transition Plan for Phase 1 Buildings & Facilities

City Hall, 45 School Street

City Hall is a Historic Building that has had accessibility modifications made with the installation of an elevator, modifications to the bathrooms and some service counters made accessible. Multiple items are needed at City Hall. One of the first that needs to be priority is the need for lever type door hardware. Signage is needed for the various offices in the building.



Brockton City Hall, 45 School Street, Brockton, MA 02301
Inspection Date: May 11, 2023
Inspector: Mark Dempsey

Parking: Accessible parking signage

Lat/Long: [42.08257, -71.01832]

BFID: 828528 - Van accessible signage

The van stall is missing a sign identifying it as a van accessible stall.

Parking space identification signs shall include the International Symbol of Accessibility. Signs identifying van parking spaces shall contain the designation "van accessible."

2010 ADAS Section 502.6

Parking space identification signs shall include the International Symbol of Accessibility complying with 703.7.2.1. Signs identifying van parking spaces shall contain the designation "van accessible." Signs shall be 60 inches (1525 mm) minimum above the finish floor or ground surface measured to the bottom of the sign.

Citation:

2010 ADAS Section: 502.6

Budgeting Range:

\$25 - \$150.00

As Built:

No van accessible sign

Recommendation:

Add a sign that states "Van Accessible"

Barrier Priority:

Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:

N/A

Notes:

N/A



Finding 828528 Main Photo

Interior ramp: Ramp

Lat/Long: [42.08257, -71.01832]

BFID: 828527 - Missing handrails

The ramp does not have compliant handrails.

Handrails are required on both sides of all surfaces that are sloped greater than 5 percent (1:20). Handrails must be between 34 inches and 38 inches above the ramp surface, must extend 12 inches beyond the top and bottom of the ramp and be parallel to the floor or ground surface. The diameter of the handrails must be between 1 1/4 inches and 2 inches in cross-sectional nominal dimension for circular handrails. Handrail gripping surfaces with a non-circular cross section shall have a perimeter dimension of 4 inches minimum and 6 1/4 inches maximum, and a cross-section dimension of 2 1/4 inches maximum. The space between handrails and walls must be 1 1/2 inches minimum.

2010 ADAS Section 505.1

Handrails provided along walking surfaces complying with 403, required at ramps complying with 405, and required at stairs complying with 504 shall comply with 505.

Citation:

2010 ADAS Section: 505.1

Budgeting Range:

\$250 - \$1,500.00

As Built:
6.2% slope no handrail

Recommendation:
Look at having handrails made that will comply with both the ADA and 521 CMR. A variance from 521 CMR will probably be needed for the width between the handrails.

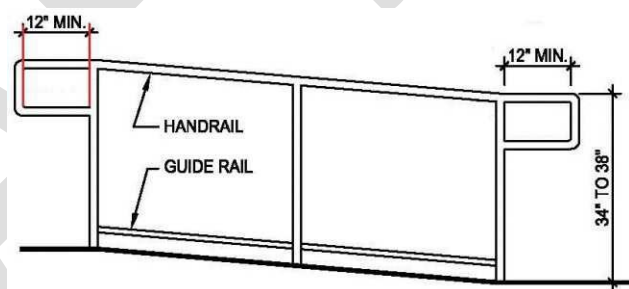
Barrier Priority:
Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:
N/A

Notes:
N/A



Finding 828527 Main Photo



Door Hardware: Knob Hardware
Lat/Long: [42.08257, -71.01832]
BFID: 829617 - Knob hardware

The door/gate operating hardware is not accessible.

Hand-activated door/gate opening hardware, handles, pulls, latches, locks, and other operating devices on accessible doors shall have a shape that is easy to grasp with one hand and does not require tight

grasping, pinching, or twisting of the wrist to operate. Hardware shall be 34 inches minimum and 48 inches maximum above the finish floor or ground.

2010 ADAS Section 404.2.7

Handles, pulls, latches, locks, and other operable parts on doors and gates shall comply with 309.4. Operable parts of such hardware shall be 34 inches (865 mm) minimum and 48 inches (1220 mm) maximum above the finish floor or ground. Where sliding doors are in the fully open position, operating hardware shall be exposed and usable from both sides.

Citation:

2010 ADAS Section: 404.2.7

Budgeting Range:

\$600 - \$2,500.00

As Built:

Knob hardware

Recommendation:

Change hardware to lever type hardware. Doors in need of immediate change are the Building Department, DPW, Council Chambers, G.A.R. Room, Payroll, Treasurer, Procurement, Mayors Office, City Clerk, Elections Commission, Law Office, Assessing, Parking Authority, Tax Collector and HR

Barrier Priority:

High (1): Should be completed immediately. (Includes: Findings that have little or no cost, were in violation of the codes at the time of construction, or pose an imminent safety threat)

Estimated Remediation Date:

N/A

Notes:

N/A



Finding 829617 Main Photo

Signage: Room & Office signage
Lat/Long: [42.08257, -71.01832]
BFID: 829618 - ADA signs missing

Compliant room identification signs are missing.

Sign shall be located alongside the door at the latch side. Where a tactile sign is provided at double doors with one active leaf, the sign shall be located on the inactive leaf. Where a tactile sign is provided at double doors with two active leaves, the sign shall be located to the right of the right-hand door. Where there is no wall space at the latch side of a single door or at the right side of double doors, signs shall be located on the nearest adjacent wall. Signs containing tactile characters shall be located so that a clear floor space of 18 inches minimum by 18 inches minimum, centered on the tactile characters, is provided beyond the arc of any door swing between the closed position and 45-degree open position.

Wall signs identifying permanent rooms and spaces of a building shall be in a horizontal format and the characters raised 1/32 inch minimum and shall be sans serif uppercase characters a minimum of 5/8 inch and a maximum of 2 inches high. Contracted Grade 2 Braille shall be in a horizontal format and shall be placed a minimum of 3/8 inch and a maximum of 1/2 inch directly below the tactile characters; flush

left or centered. Dots shall be 1/10 inch on center in each cell with 2/10-inch space between cells, measured from the second column of dots in the first cell to the first column of dots in the second cell. Dots shall be raised a minimum of 1/40 inch above the background. Braille dots shall be domed or rounded. Signs with raised characters or Braille shall be located 48 inches minimum above the finish floor or ground surface, measured from the baseline of the lowest tactile character and 60 inches maximum above the finish floor or ground surface, measured from the baseline of the highest tactile character.

2010 ADAS Section 216.2

Interior and exterior signs identifying permanent rooms and spaces shall comply with 703.1, 703.2, and 703.5. Where pictograms are provided as designations of permanent interior rooms and spaces, the pictograms shall comply with 703.6 and shall have text descriptors complying with 703.2 and 703.5.

2010 ADAS Section 703.4.2

Where a tactile sign is provided at a door, the sign shall be located alongside the door at the latch side. Where a tactile sign is provided at double doors with one active leaf, the sign shall be located on the inactive leaf. Where a tactile sign is provided at double doors with two active leaves, the sign shall be located to the right of the right-hand door. Where there is no wall space at the latch side of a single door or at the right side of double doors, signs shall be located on the nearest adjacent wall. Signs containing tactile characters shall be located so that a clear floor space of 18 inches (455 mm) minimum by 18 inches (455 mm) minimum, centered on the tactile characters, is provided beyond the arc of any door swing between the closed position and 45 degree open position.

Citation:

2010 ADAS Section: 216.2, 703.4.2

Budgeting Range:

\$2,400 - \$24,000.00

As Built:

No ADA Signs are provided

Recommendation:

The city should put together an RFP for ADA signs for a few of the municipal buildings, Signs are needed for the Building Department, DPW, Council Chambers, G.A.R. Room, Payroll, Treasurer, Procurement, Mayors Office, City Clerk, Elections Commission, Law Office, Assessing, Parking Authority, Tax Collector and HR

Barrier Priority:

Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:

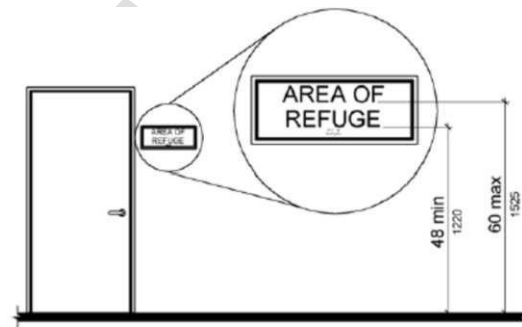
N/A

Notes:

N/A



Finding 829618 Main Photo



Stair Handrails: Extension

Lat/Long: [42.08257, -71.01832]

BFID: 828473 - No handrail extension

The handrail does not have a compliant extension at the bottom of the stair flight.

At the bottom of a stair flight, handrails shall extend at the slope of the stair flight for a horizontal distance at least equal to one tread depth beyond the last riser nosing. Extension shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent stair flight.

2010 ADAS Section 505.10.3

At the bottom of a stair flight, handrails shall extend at the slope of the stair flight for a horizontal distance at least equal to one tread depth beyond the last riser nosing. Extension shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent stair flight.

Citation:

2010 ADAS Section: 505.10.3

Budgeting Range:
\$20,000 - \$50,000.00

As Built:
Handrail does not have extension required by ADA

Recommendation:
Look into adding a handrail that complies with ADA without taking away from the historic features of the interior of the building

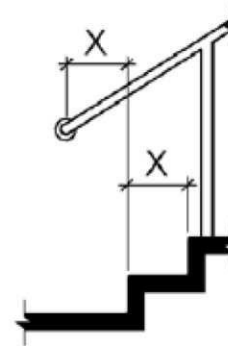
Barrier Priority:
Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:
N/A

Notes:
N/A



Finding 828473 Main Photo



Note: X = tread depth

Figure 505.10.3 Bottom Handrail Extension at Stairs

Stair Handrails: Handrails not on both sides of stairs

Lat/Long: [42.08257, -71.01832]

BFID: 828474 - Missing handrail

The stairway only has a handrail on one side. Stairways must have handrails on both sides. Handrails and their extensions must be between 34 inches and 38 inches above the stair nosing or ground.

The top handrails shall extend a minimum of 12 inches beyond the top nosing and shall be parallel with the floor or ground surface. At the bottom of a stair flight, handrails shall extend at the slope of the stair flight for a horizontal distance at least equal to one tread depth beyond the last riser nosing. Extension shall return to a wall, guard, or the landing surface, or shall be continuous to the handrail of an adjacent stair flight.

The orientation of at least one handrail, including the extension, shall be in the direction of the run of the stair and perpendicular to the direction of the stair nosing. Handrail gripping surfaces with a circular cross section shall have an outside diameter of 1-1/4 inches minimum and 2 inches maximum. Handrail gripping surfaces with a non-circular cross section shall have a perimeter dimension of 4 inches minimum and 6 1/4 inches maximum, and a cross-section dimension of 2-1/4 inches maximum. The hand grip portion of handrails shall have a smooth surface with no sharp corners. Gripping surfaces (top or sides) shall be uninterrupted by newel posts, other construction elements or obstructions. Any wall or other surface adjacent to the handrail shall be free of sharp or abrasive elements. Handrails projecting from a wall shall have a space of 1-1/2 inches minimum between the wall and the handrail.

2010 ADAS Section 505.2

Handrails shall be provided on both sides of stairs and ramps.

Citation:

2010 ADAS Section: 505.2

Budgeting Range:

\$10,000 - \$30,000.00

As Built:

Six locations on first floor stairs are missing handrail on one side of stairs

Recommendation:

N/A - Refer to Finding

Barrier Priority:

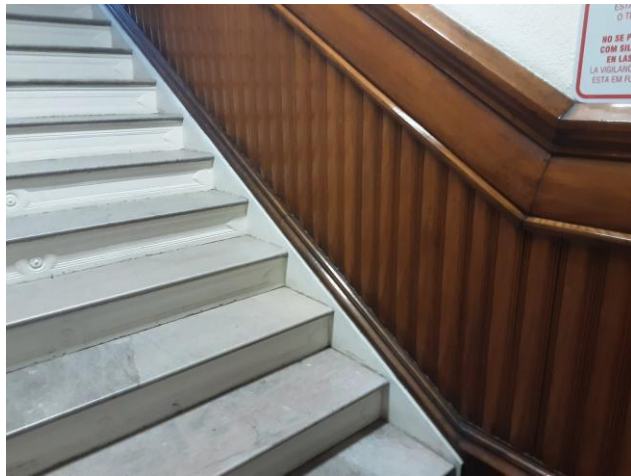
Important (2): Should be completed as soon as possible. (Includes Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:

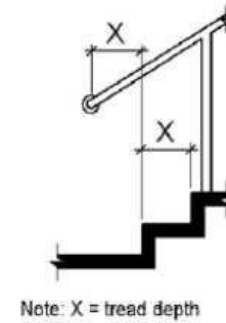
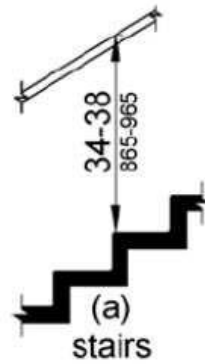
N/A

Notes:

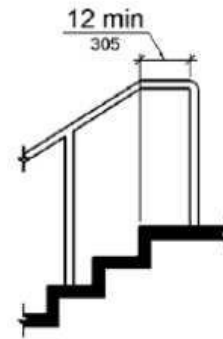
[05/11/2023] all three stair towers missing outside handrails



Finding 828474 Main Photo



Note: X = tread depth



Finding #6 Additional Finding Photos



Finding 828474 Additional Photo

Visual Alarms: Public areas
Lat/Long: [42.08257, -71.01832]
BFID: 828482 - Missing visual Alarms

No visual fire alarms are provided.

Fire alarm systems shall have permanently installed audible and visible alarms complying with NFPA 72.

2010 ADAS Section 702.1

Fire alarm systems shall have permanently installed audible and visible alarms complying with NFPA 72 (1999 or 2002 edition) (incorporated by reference, see "Referenced Standards" in Chapter 1), except that the maximum allowable sound level of audible notification appliances complying with section 4-3.2.1 of NFPA 72 (1999 edition) shall have a sound level no more than 110 dB at the minimum hearing distance from the audible appliance. In addition, alarms in guest rooms required to provide communication features shall comply with sections 4-3 and 4-4 of NFPA 72 (1999 edition) or sections 7.4 and 7.5 of NFPA 72 (2002 edition).

Citation:

2010 ADAS Section: 702.1

Budgeting Range:

\$20,000 - \$45,000.00

As Built:

Visual Alarms are not provided in all of the public rooms in City Hall

Recommendation:

Look at updating the fire alarm system to include visual alarms in all public spaces, office restrooms.

Barrier Priority:

Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:

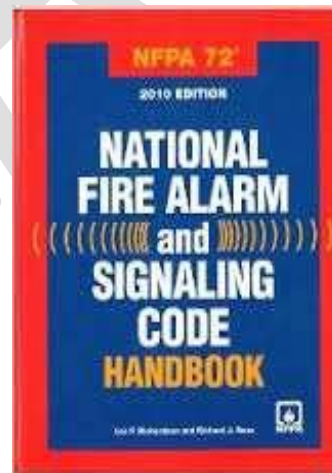
N/A

Notes:

N/A



Finding 828482 Main Photo



Transaction counter: Counter height

Lat/Long: [42.08257, -71.01832]

BFID: 828476 - Transaction counter exceeds thirty-six (36) inches above the floor

The transaction counter is too high.

The counter height shall be 36 inches maximum.

For parallel approaches a portion of the counter surface that is 36 inches long minimum and 36 inches high maximum above the finish floor shall be provided.

For a forward approach a portion of the counter surface that is 30 inches long minimum and 36 inches high maximum.

2010 ADAS Section 904.4.2

A portion of the counter surface that is 30 inches (760 mm) long minimum and 36 inches (915 mm) high maximum shall be provided. Knee and toe space complying with 306 shall be provided under the counter. A clear floor or ground space complying with 305 shall be positioned for a forward approach to the counter.

2010 ADAS Section 904.4.1

A portion of the counter surface that is 36 inches (915 mm) long minimum and 36 inches (915 mm) high maximum above the finish floor shall be provided. A clear floor or ground space complying with 305 shall be positioned for a parallel approach adjacent to the 36 inch (915 mm) minimum length of counter.

Citation:

2010 ADAS Section: 904.4.2, 904.4.1

Budgeting Range:

\$25,000 - \$65,000.00

As Built:

Transaction counter exceeds thirty-six (36) inches above the floor

Recommendation:

See if portions of different counters that exceed thirty-six (36) inches in height can be lowered to an accessible height. Look at correcting the busiest counters first (example Mayor, Clerk etc)

Barrier Priority:

Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:

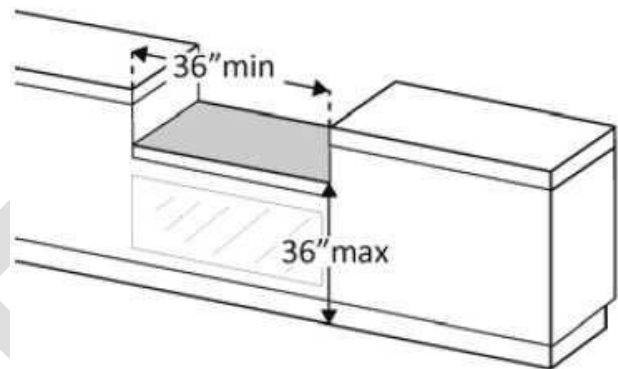
N/A

Notes:

N/A



Finding 828476 Main Photo



Protruding object: Council chambers

Lat/Long: [42.08257, -71.01832]

BFID: 828498 - Speaker

The speaker projects more than 4 inches into the circulation path.

Wall-mounted objects that have leading edges between 27 inches and 80 inches from the floor must not project more than 4 inches into the circulation path. Protruding objects that extend to the floor or within 27 inches of the floor are cane detectable and are therefore not hazardous. Where it is necessary or desirable to have objects protrude from the wall, a manner of cane detection must be provided.

2010 ADAS Section 307.2

Objects with leading edges more than 27 inches (685 mm) and not more than 80 inches (2030 mm) above the finish floor or ground shall protrude 4 inches (100 mm) maximum horizontally into the circulation path.

Citation:

2010 ADAS Section: 307.2

Budgeting Range:
\$500 - \$1,500.00

As Built:
Speaker comes eleven (11) inches off the wall and sixty-six (66) inches above the finished floor

Recommendation:
Build some structure that would allow people using cane to detect the speaker

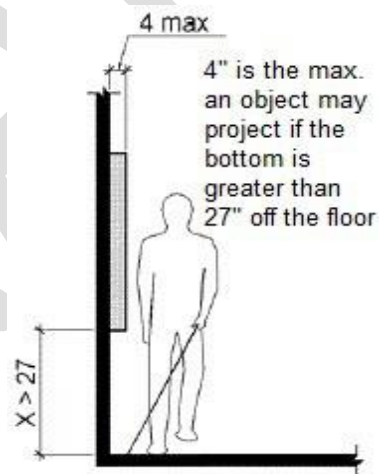
Barrier Priority:
Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:
N/A

Notes:
N/A



Finding 828498 Main Photo



Protruding object: Tax collector
Lat/Long: [42.08257, -71.01832]
BFID: 828478 - Counter shelf

The tax collectors counter projects more than 4 inches into the circulation path.

Wall-mounted objects that have leading edges between 27 inches and 80 inches from the floor must not project more than 4 inches into the circulation path. Protruding objects that extend to the floor or within 27 inches of the floor are cane detectable and are therefore not hazardous. Where it is necessary or desirable to have objects protrude from the wall, a manner of cane detection must be provided.

2010 ADAS Section 307.2

Objects with leading edges more than 27 inches (685 mm) and not more than 80 inches (2030 mm) above the finish floor or ground shall protrude 4 inches (100 mm) maximum horizontally into the circulation path.

Citation:

2010 ADAS Section: 307.2

Budgeting Range:

\$500 - \$1,500.00

As Built:

Tax collector counter measures forty-two (42) inches high. Counter projects ten (10) inches from wall

Recommendation:

Construct a knee wall on either side of the counter.

Barrier Priority:

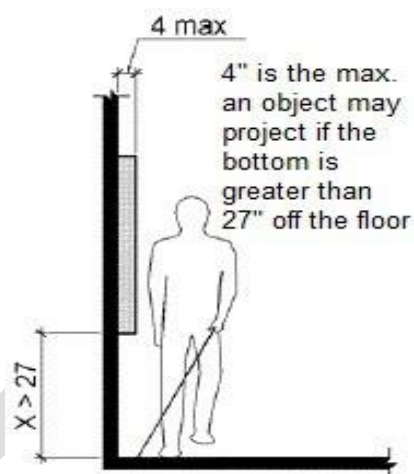
Moderate (3): Should be completed as soon as possible, but there may be other items that will provide greater access to persons with disabilities. (Includes: Findings that have a high financial impact on the entity in relationship to the degree of access provided)

Estimated Remediation Date:

N/A

Notes:

N/A



Finding 828478 Main Photo

Assistive listening system: Council Chambers

Lat/Long: [42.08257, -71.01832]

BFID: 828497 - No sign saying an assistive listening system is available.

There is no assistive listening system in the assembly area.

In each assembly area where audible communication is integral to the use of the space, an assistive listening system shall be provided.

2010 ADAS Section 219.2

In each assembly area where audible communication is integral to the use of the space, an assistive listening system shall be provided.

Citation:

2010 ADAS Section: 219.2

Budgeting Range:

\$2,500 - \$9,500.00

As Built:

City Council meeting room has a built-in sound system

Recommendation:

Check with the people who control the sound system to see if assistive listening devices are provided and add signage if available. Devices may need to be purchased if none are available.

Barrier Priority:

Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:

N/A

Notes:

N/A



Finding 828497 Main Photo



Bathrooms: Flush control location

Lat/Long: [42.08257, -71.01832]

BFID: 828500 - Flush handle

The flush handle is located on the wrong side of the toilet.

Controls shall be operable with one hand and shall not require tight grasping, pinching or twisting. Controls for the flush valves shall be mounted on the wide side of toilet areas, no more than 48 inches above the floor.

2010 ADAS Section 604.6

Flush controls shall be hand operated or automatic. Hand operated flush controls shall comply with 309. Flush controls shall be located on the open side of the water closet except in ambulatory accessible compartments complying with 604.8.2.

Citation:
2010 ADAS Section: 604.6

Budgeting Range:
\$150 - \$1,500.00

As Built:
Flush on wall side of toilet

Recommendation:
Have the tank of the toilet switched out with a tank that has a flush handle on the opposite side. Both accessible toilet stalls.

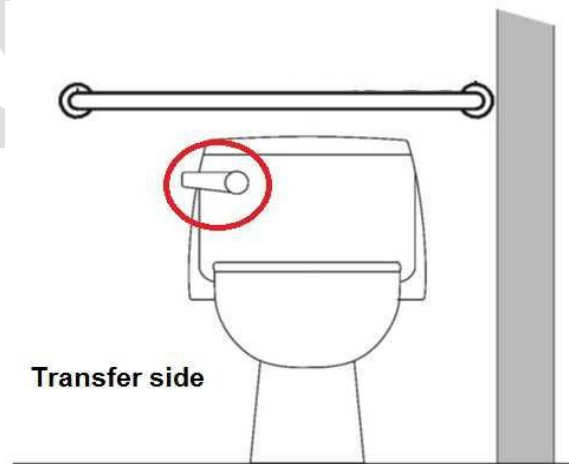
Barrier Priority:
Moderate (3): Should be completed as soon as possible, but there may be other items that will provide greater access to persons with disabilities. (Includes: Findings that have a high financial impact on the entity in relationship to the degree of access provided)

Estimated Remediation Date:
N/A

Notes:
N/A



Finding 828500 Main Photo



Bathrooms: Sink

Lat/Long: [42.08257, -71.01832]

BFID: 828520 - Pipes exposed

The water and drainpipes under the lavatory are not adequately insulated.

The water supply and drainpipes under lavatories and sinks shall be insulated or otherwise configured to protect against contact. There shall be no sharp or abrasive surfaces under lavatories and sinks.

2010 ADAS Section 606.5

Water supply and drainpipes under lavatories and sinks shall be insulated or otherwise configured to protect against contact. There shall be no sharp or abrasive surfaces under lavatories and sinks.

Citation:

2010 ADAS Section: 606.5

Budgeting Range:

\$150 - \$1,500.00

As Built:

Pipes not insulated under sink

Recommendation:

Add an insulating pipe bag to the pipes below the sink. Both bathrooms

Barrier Priority:

N/A

Estimated Remediation Date:

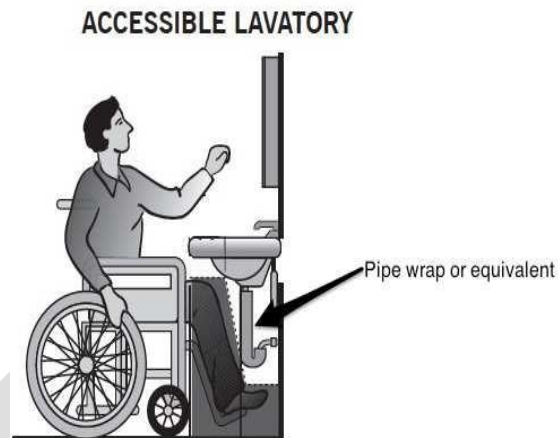
N/A

Notes:

N/A



Finding 828520 Main Photo



Bathrooms: Toilet location

Lat/Long: [42.08257, -71.01832]

BFID: 828518 - Toilet is located to far from the wall and to close to the partition

The toilet is not located within the range allowed from the side wall or partition. The centerline of the toilet must be 16 to 18 inches from the side wall.

2010 ADAS Section 604.2

The water closet shall be positioned with a wall or partition to the rear and to one side. The centerline of the water closet shall be 16 inches (405 mm) minimum to 18 inches (455 mm) maximum from the side wall or partition, except that the water closet shall be 17 inches (430 mm) minimum and 19 inches (485 mm) maximum from the side wall or partition in the ambulatory accessible toilet compartment specified in 604.8.2. Water closets shall be arranged for a left-hand or right-hand approach.

Citation:

2010 ADAS Section: 604.2

Budgeting Range:

\$1,500 - \$6,500.00

As Built:

Centerline of the toilet measures twenty-two (22) inches to the wall and thirty-seven (37) inches to the partition

Recommendation:

Toilets in the accessible stalls are too far from the wall. If space allows a single user accessible bathroom may be the most economical solution.

Barrier Priority:

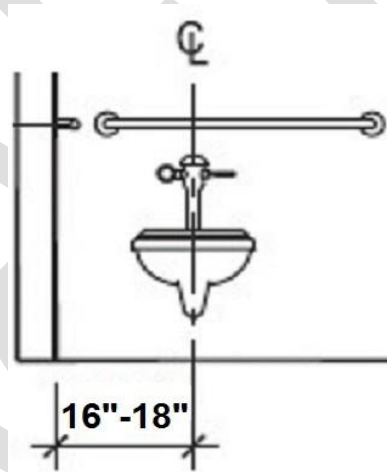
Moderate (3): Should be completed as soon as possible, but there may be other items that will provide greater access to persons with disabilities. (Includes: Findings that have a high financial impact on the entity in relationship to the degree of access provided)

Estimated Remediation Date:

N/A

Notes:

N/A



Finding 828518 Main Photo

Bathrooms: reach range

Lat/Long: [42.08257, -71.01832]

BFID: 828505 - Reach range of dispenser

The soap dispenser's operation mechanism is too high off the floor.

Dispensers must have all operable parts a maximum of 48 inches above the floor.

2010 ADAS Section 308.2.1

Where a forward reach is unobstructed, the high forward reach shall be 48 inches (1220 mm) maximum and the low forward reach shall be 15 inches (380 mm) minimum above the finish floor or ground.

Citation:

2010 ADAS Section: 308.2.1

Budgeting Range:

\$150 - \$1,500.00

As Built:

Operable portion of soap dispenser measure fifty-eight and one-half (58 and 1/2) inches from floor

Recommendation:

Relocate dispensers that are located above the reach range

Barrier Priority:

Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:

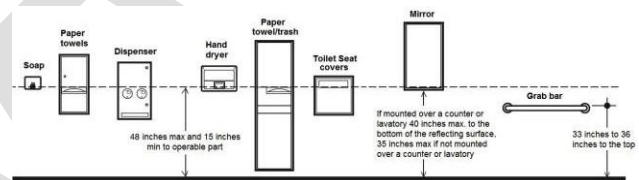
N/A

Notes:

N/A



Finding 828505 Main Photo



Bathrooms: Mirrors

Lat/Long: [42.08257, -71.01832]

BFID: 828521 - Mirror height

The mirror is mounted above the maximum allowable height.

Mirrors must have the bottom edge of the reflecting surface a maximum of 40 inches above the floor if above a sink or counter. Mirrors not located above lavatories or countertops shall be installed with the bottom edge of the reflecting surface 35 inches maximum above the finish floor or ground.

2010 ADAS Section 603.3

Mirrors located above lavatories or countertops shall be installed with the bottom edge of the reflecting surface 40 inches (1015 mm) maximum above the finish floor or ground. Mirrors not located above lavatories or countertops shall be installed with the bottom edge of the reflecting surface 35 inches (890 mm) maximum above the finish floor or ground.

Citation:

2010 ADAS Section: 603.3

Budgeting Range:

\$150 - \$1,500.00

As Built:

Mirror above sink measures forty-six (46) inches to the reflective surface

Recommendation:

Relocate the mirror to an accessible height

Barrier Priority:

Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:

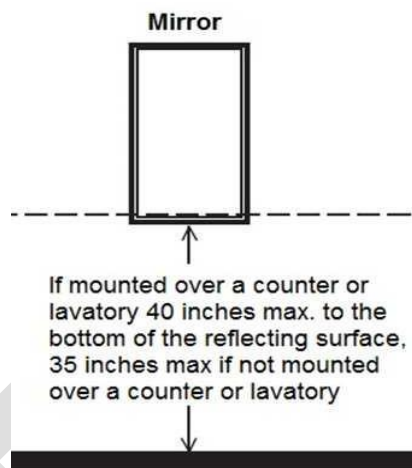
N/A

Notes:

N/A



Finding 828521 Main Photo



Urinal: height

Lat/Long: [42.08257, -71.01832]

BFID: 828502 - Urinal rim height

The rim of the urinal is above the maximum allowable height.

Wall-hung urinals must be provided with an elongated rim projecting a minimum of 13 1/2 inches from the wall and a maximum of 17 inches above the floor.

2010 ADAS Section 605.2

Urinals shall be the stall-type or the wall-hung type with the rim 17 inches (430 mm) maximum above the finish floor or ground. Urinals shall be 13 1/2 inches (345 mm) deep minimum measured from the outer face of the urinal rim to the back of the fixture.

Citation:

2010 ADAS Section: 605.2

Budgeting Range:

\$1,500 - \$4,500.00

As Built:

Height of the rim measures twenty-two and one-half (22 1/2) inches high

Recommendation:

See if one of the urinals can be lowered to an accessible height.

Barrier Priority:

Moderate (3): Should be completed as soon as possible, 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)

Estimated Remediation Date:

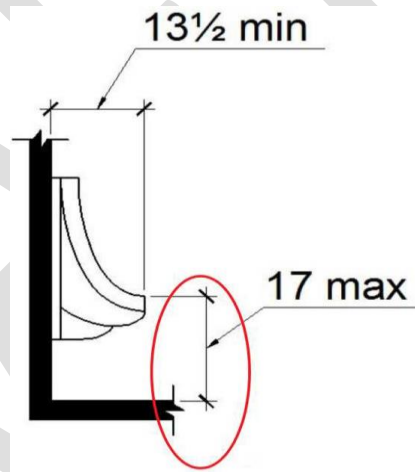
N/A

Notes:

N/A



Finding 828502 Main Photo



Main Library, 304 North Main Street

The Main Library is a Historic Building that had a major renovation and addition approximately twenty (20) years ago. A few items that are needed are knee walls at the water fountains to protect people with visual impairments and coat hooks in the bathrooms.



Library, 304 N. Main Street, Brockton, MA 02301
Inspection Date: June 2, 2023
Inspector: Mark Dempsey

Building

Finding: 1

The coat hook is missing.

Where coat hooks or shelves are provided in toilet rooms without toilet compartments, at least one of each type shall be within reach range. Where coat hooks or shelves are provided in toilet compartments, at least one of each type complying with reach ranges shall be provided in accessible and ambulatory stalls. Where coat hooks or shelves are provided in bathing facilities, at least one of each type in reach range shall serve fixtures required to comply with Bathing Facilities.

2010 ADAS Section 213.3.7

Where coat hooks or shelves are provided in toilet rooms without toilet compartments, at least one of each type shall comply with 603.4. Where coat hooks or shelves are provided in toilet compartments, at least one of each type complying with 604.8.3 shall be provided in toilet compartments required to comply with 213.3.1. Where coat hooks or shelves are provided in bathing facilities, at least one of each type complying with 603.4 shall serve fixtures required to comply with 213.3.6.

Citation:

2010 ADAS Section: 213.3.7

As Built:

Coat Hooks missing from all accessible restrooms

Budgeting Range:

\$25 - \$150.00

Recommendation:

Have Facilities purchase and install coat hooks in bathrooms where they are not provided.

Barrier Priority:

N/A

Notes:

N/A

Building

Finding: 2

The water fountain extends down too close to the route of travel.

Any obstruction that overhangs a circulation route must be a minimum of 80 inches above the walking surface as measured from the bottom of the obstruction.

2010 ADAS Section 307.3

Free-standing objects mounted on posts or pylons shall overhang circulation paths 12 inches (305 mm) maximum when located 27 inches (685 mm) minimum and 80 inches (2030 mm) maximum above the finish floor or ground. Where a sign or other obstruction is mounted between posts or pylons and the clear distance between the posts or pylons is greater than 12 inches (305 mm), the lowest edge of such sign or obstruction shall be 27 inches (685 mm) maximum or 80 inches (2030 mm) minimum above the finish floor or ground.

Citation:

2010 ADAS Section: 307.3

As Built:

High low water fountain not protected by knee walls

Budgeting Range:

\$1,500 - \$4,500.00

Recommendation:

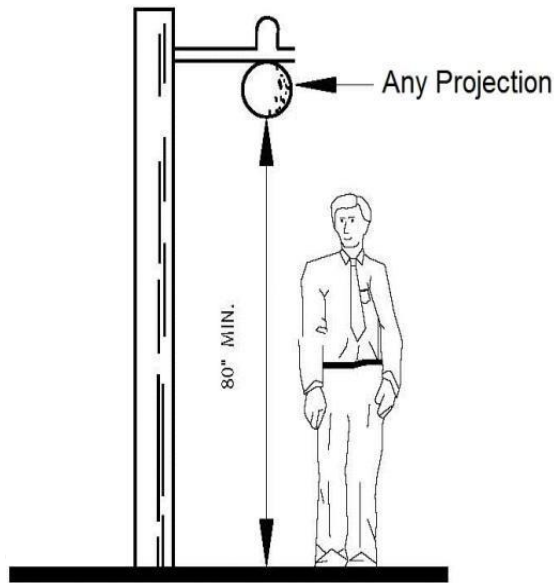
Have Facilities construct knee walls on either side of the water fountain so leading edge of fountain extends less than four (4) inches into the circulation route.

Barrier Priority:

N/A

Notes:

N/A



DRAFT

Library West Branch, 540 Forest Avenue

The West Branch Library was constructed in 1969 and has a wooden ramp to the library on the upper floor. The ramp is in need of replacement as it is in disrepair.



Library West Branch, 540 Forest Avenue, Brockton, MA 02301

Inspection Date: May 11, 2023

Inspector: Mark Dempsey

Wooden ramp: Front Entrance
Lat/Long: [42.07051, -71.04537]
BFID: 828571 - Front entrance ramp

The accessible route of travel exceeds 5% running slope and therefore must be considered a ramp.

Where the slope is greater than one unit vertical in 20 units horizontal (5-percent slope), ramps shall be used.

2010 ADAS Section 403.3

The running slope of walking surfaces shall not be steeper than 1:20. The cross slope of walking surfaces shall not be steeper than 1:48.

Citation:

2010 ADAS Section: 403.3

As Built:

Ramp is in disrepair and in need of replacement

Budgeting Range:

\$40,000 - \$50,000.00

Recommendation:

Ramp is falling apart and becoming a safety issue. Ramp overcomes a change in level of approximately twenty-four (24) inches with two (2) landings to change directions and a landing at the entry door.

Barrier Priority:

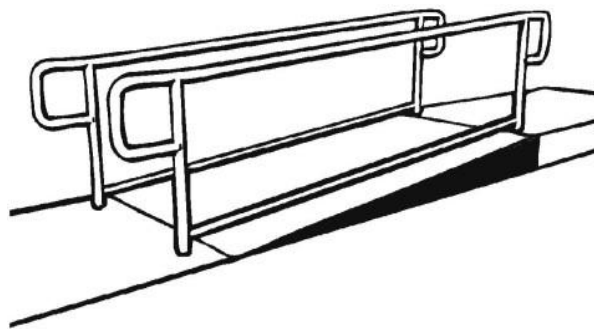
High (1): Should be completed immediately. (Includes: Findings that have little or no cost, were in violation of the codes at the time of construction, or pose an imminent safety threat)

Estimated Remediation Date:

N/A

Notes:

N/A



Finding 828571 Main Photo

Bathroom: Upper level accessible bathroom

Lat/Long: [42.07051, -71.04537]

BFID: 828570 - Bathroom sign

The wall sign is incorrectly located.

Where permanent identification signs are provided for rooms and spaces, signs shall be installed on the wall adjacent to the latch side of the door. Where there is no wall space on the latch side, including at double leaf doors, signs shall be placed on the nearest adjacent wall, preferably on the right.

Mounting location shall be located so that a person may approach within 3 inches of the sign and that a clear floor space of 18 inches minimum by 18 inches minimum, centered on the tactile Characters, is provided beyond the arc of any door swing between the closed position and 45-degree open position.

2010 ADAS Section 703.4.1

Tactile characters on signs shall be located 48 inches (1220 mm) minimum above the finish floor or ground surface, measured from the baseline of the lowest tactile character and 60 inches (1525 mm) maximum above the finish floor or ground surface, measured from the baseline of the highest tactile character.

Citation:

2010 ADAS Section: 703.4.1

As Built:

Sign is located on the door

Budgeting Range:

\$25 - \$150.00

Recommendation:

Add or relocate sign from door to latch side wall.

Barrier Priority:

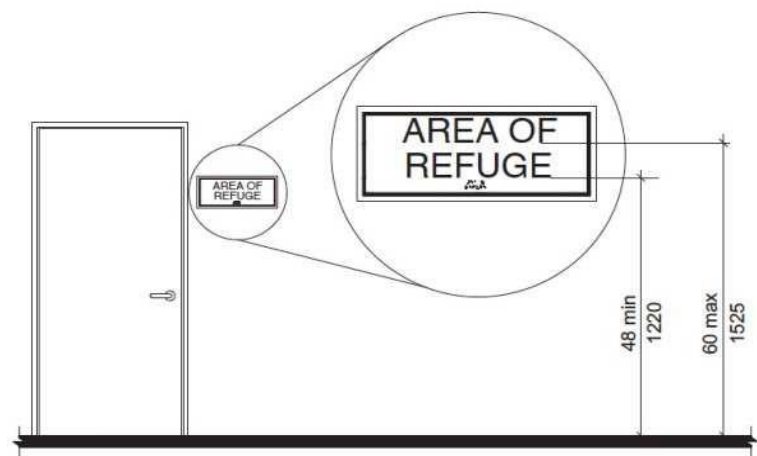
Important (2): Should be completed as soon as possible. (Includes Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:

N/A

Notes:

N/A



Finding 828570 Main Photo

Bathroom: Upper level accessible bathroom

Lat/Long: [42.07105, -71.04286]

BFID: 829241 - Coat hook

The coat hook is missing.

Where coat hooks or shelves are provided in toilet rooms without toilet compartments, at least one of each type shall be within reach range. Where coat hooks or shelves are provided in toilet compartments, at least one of each type complying with reach ranges shall be provided in accessible and ambulatory stalls. Where coat hooks or shelves are provided in bathing facilities, at least one of each type in reach range shall serve fixtures required to comply with Bathing Facilities.

2010 ADAS Section 213.3.7

Where coat hooks or shelves are provided in toilet rooms without toilet compartments, at least one of each type shall comply with 603.4. Where coat hooks or shelves are provided in toilet compartments, at least one of each type complying with 604.8.3 shall be provided in toilet compartments required to comply with 213.3.1. Where coat hooks or shelves are provided in bathing facilities, at least one of each type complying with 603.4 shall serve fixtures required to comply with 213.3.6.

Citation:

2010 ADAS Section: 213.3.7

As Built:

No coat hook is provided in accessible bathroom

Budgeting Range:

\$25 - \$150.00

Recommendation:

Add a coat hook in the accessible bathroom.

Barrier Priority:

N/A

Estimated Remediation Date:

N/A

Notes:

N/A

Bathroom: Upper-level accessible bathroom

Lat/Long: [42.07051, -71.04537]

BFID: 828569 - Flush handle - location

The flush handle is located on the wrong side of the toilet.

Controls shall be operable with one hand and shall not require tight grasping, pinching or twisting.

Controls for the flush valves shall be mounted on the wide side of toilet areas, no more than 48 inches above the floor.

2010 ADAS Section 604.6

Flush controls shall be hand operated or automatic. Hand operated flush controls shall comply with 309. Flush controls shall be located on the open side of the water closet except in ambulatory accessible compartments complying with 604.8.2.

Citation:

2010 ADAS Section: 604.6

As Built:

Flush handle is located on the wall side of the toilet

Budgeting Range:

\$150 - \$1,500.00

Recommendation:

Replace the toilet tank with a tank that has the handle on the proper side of the toilet in that bathroom.

Barrier Priority:

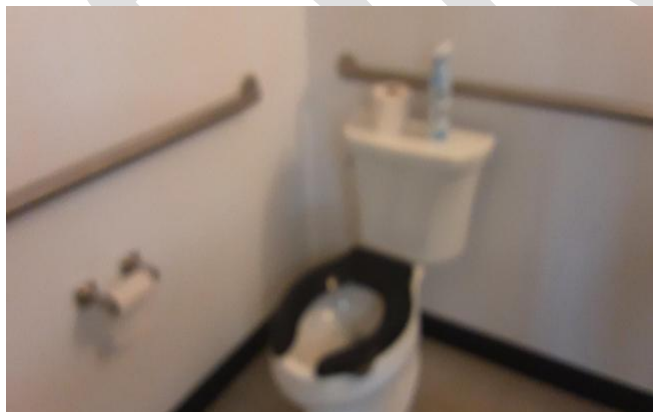
Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:

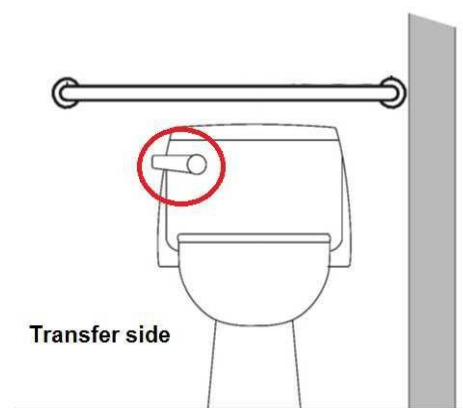
N/A

Notes:

N/A



Finding 828569 Main Photo



Library East Branch, 54 Kingman Street

The East Branch Library was constructed in 1969 and has a three-stop vertical lift that is old and will be in need of replacement in the next few years. The accessible vehicle parking needs to be properly restriped and signed. The curb ramp needs to be rebuilt as the slope exceeds 8.3% and is a safety hazard.



Library East Branch, 54 Kingman Street, Brockton, MA 02302

Inspection Date: June 2, 2023

Inspector: Mark Dempsey

Parking: Parking

Lat/Long: [42.08237, -71.00126]

BFID: 829239 - Accessible parking

The parking space is not nearly compliant.

The parking space is the minimum width. The floor or ground surface is not firm stable or slip resistant. The parking space contains changes in level and/or gaps that exceed the maximum allowable requirements. The parking space does not have the proper identification signs or the signs are not installed at the correct height. The parking space is missing an adjacent access aisle.

2010 ADAS Section 502.1

Car and van parking spaces shall comply with 502. Where parking spaces are marked with lines, width measurements of parking spaces and access aisles shall be made from the centerline of the markings.

2010 ADAS Section 502.1 Exception

Where parking spaces or access aisles are not adjacent to another parking space or access aisle, measurements shall be permitted to include the full width of the line defining the parking space or access aisle.

Citation:

2010 ADAS Section: 502.1, 502.1

Exception

As Built:

Accessible Parking (HP Parking) does not have a striped access aisle or above ground signage.

Budgeting Range:

\$300 - \$500.00

Recommendation:

Pavement can be striped to have two (2) accessible parking spaces eight (8) feet wide share an eight (8) foot wide striped access aisle. Signs shall be installed at the head of each space

Barrier Priority:

High (1): Should be completed immediately. (Includes Findings that have little or no cost, were in violation of the codes at the time of construction, or pose an imminent safety threat)

Estimated Remediation Date:

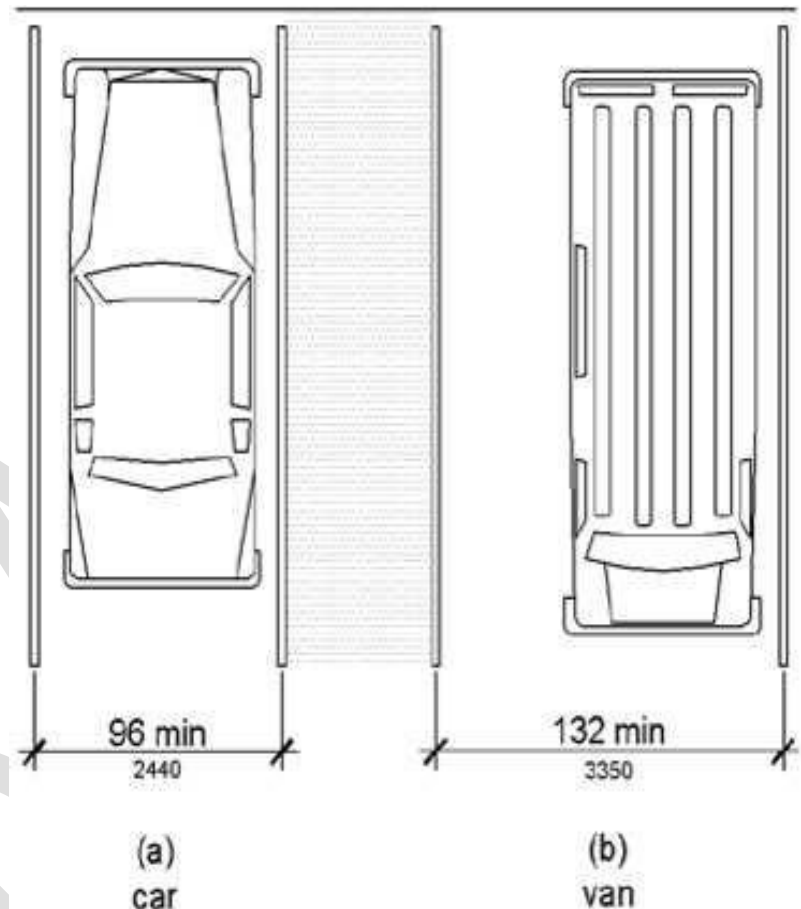
N/A

Notes:

N/A



Finding 829239 Main Photo



Route from accessible parking to entrance: Accessible Route

Lat/Long: [42.08237, -71.00126]

BFID: 829240 - Curb ramp

The curb ramp exceeds the maximum running slope (parallel to the direction of travel) allowable of 8.33%. Curb ramps should have the least possible slope but in no case more than 8.33% (1:12).

2010 ADAS Section 406.1

Curb ramps on accessible routes shall comply with 406, 405.2 through 405.5, and 405.10.

Citation:

2010 ADAS Section: 406.1

As Built:

Running slope of the curb ramp measures 13.6%. Measurement was taken with a calibrated two (2) foot smart level

Budgeting Range:

\$4,000 - \$8,000.00

Recommendation:

Replace the existing curb ramp with a compliant curb ramp

Barrier Priority:

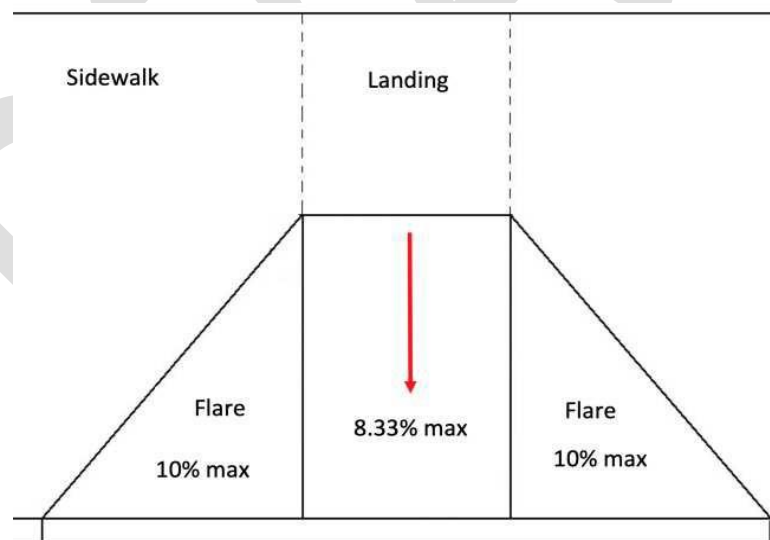
High (1): Should be completed immediately. (Includes Findings that have little or no cost, were in violation of the codes at the time of construction, or pose an imminent safety threat)

Estimated Remediation Date:

N/A

Notes:

N/A



Finding 829240 Main Photo



Route from accessible parking to entrance: Accessible Route

Lat/Long: [42.08237, -71.00126]

BFID: 829238 - Stair tread nosing

The stair nosing is not one of the compliant configurations.

The radius of curvature at the leading edge of the tread shall be 1/2 inch maximum. Nosings that project beyond risers shall have the underside of the leading edge curved or beveled. Risers shall be permitted to slope under the tread at an angle of 30 degrees maximum from vertical. The permitted projection of the nosing shall extend 1-1/2 inches maximum over the tread below.

2010 ADAS Section 504.5

The radius of curvature at the leading edge of the tread shall be 1/2 inch (13 mm) maximum. Nosings that project beyond risers shall have the underside of the leading edge curved or beveled. Risers shall be permitted to slope under the tread at an angle of 30 degrees maximum from vertical. The permitted projection of the nosing shall extend 1 1/2 inches (38 mm) maximum over the tread below.

Citation:

2010 ADAS Section: 504.5

As Built:

Stair tread has a metal covering the existing concrete stair tread. The metal covering creates a projected stair nosing

Budgeting Range:

\$1,500 - \$9,500.00

Recommendation:

See if metal stair tread can be modified to comply with the ADA.

Barrier Priority:

High (1): Should be completed immediately. (Includes Findings that have little or no cost, were in violation of the codes at the time of construction, or pose an imminent safety threat)

Estimated Remediation Date:

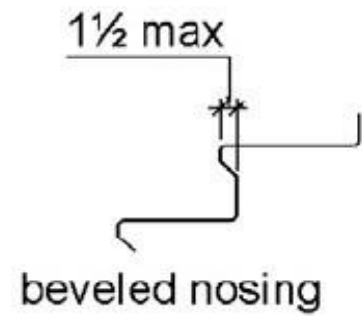
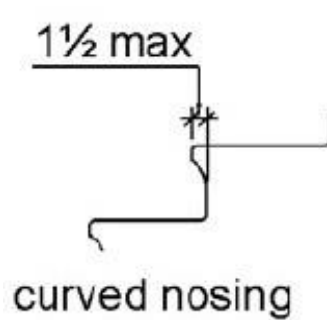
N/A

Notes:

N/A



Finding 829238 Main Photo



Interior: Building Interior
Lat/Long: [42.08237, -71.00126]
BFID: 829237 - No backup power was present

The platform lift is part of a required accessible means of egress system and does not have required standby power.

Standby power shall be provided for platform lifts permitted by Chapter 10, section 1009.5 to serve as a part of an accessible means of egress. To ensure continued operation in case of primary power loss, platform lifts shall be provided with standby power or with self-rechargeable battery power that provides sufficient power to operate all platform lift functions for a minimum of five upward and downward trips.

2010 ADAS Section 207.2

Standby power shall be provided for platform lifts permitted by section 1003.2.13.4 of the International Building Code (2000 edition and 2001 Supplement) or section 1007.5 of the International Building Code (2003 edition) (incorporated by reference, see "Referenced Standards" in Chapter 1) to serve as a part of an accessible means of egress.

Citation:

2010 ADAS Section: 207.2

As Built:

It was reported that the lift is old and at the end of its useful service.

Budgeting Range:

\$30,000 - \$50,000.00

Recommendation:

Put the replacement for the lift onto the city's capital project schedule.

Barrier Priority:

Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:

N/A

Notes:

N/A



Finding 829237 Main Photo

Interior: Building Interior

Lat/Long: [42.08237, -71.00126]

BFID: 829236 - Location of the toilet flush lever

The flush handle is located on the wrong side of the toilet.

Controls shall be operable with one hand and shall not require tight grasping, pinching or twisting. Controls for the flush valves shall be mounted on the wide side of toilet areas, no more than 48 inches above the floor.

2010 ADAS Section 604.6

Flush controls shall be hand operated or automatic. Hand operated flush controls shall comply with 309. Flush controls shall be located on the open side of the water closet except in ambulatory accessible compartments complying with 604.8.2.

Citation:

2010 ADAS Section: 604.6

As Built:

Flush lever is located on the wall side of the toilet.

Budgeting Range:

\$150 - \$1,500.00

Recommendation:

Replace the toilet tank replaced with a tank with the flush lever on the opposite side than the existing tank.

Barrier Priority:

High (1): Should be completed immediately. (Includes; Findings that have little or no cost, were in violation of the codes at the time of construction, or pose an imminent safety threat)

Estimated Remediation Date:

N/A

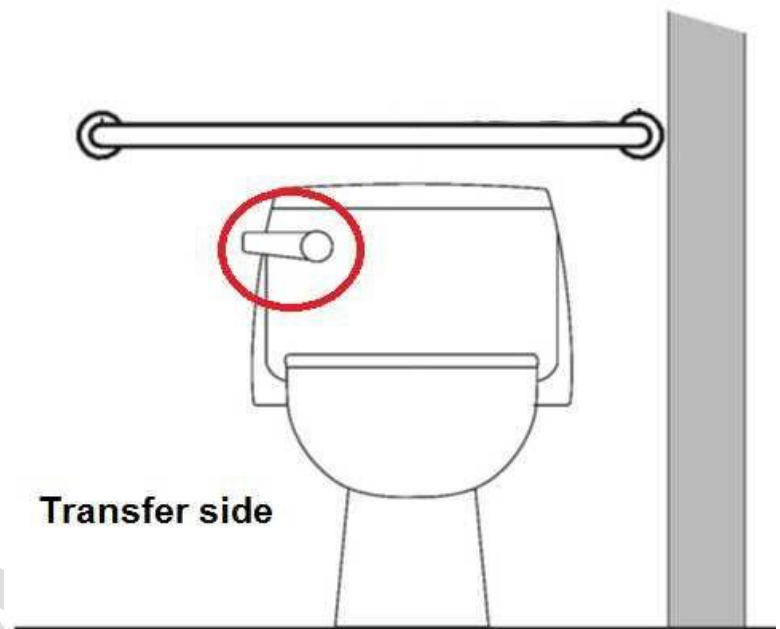
Notes:

N/A

DRAFT



Finding 829236 Main Photo



Campanelli Stadium, 1 Feinberg Way

The stadium was constructed around the year 2000. The stadium provides lots of great accessibility for people with disabilities. The accessible parking is in need of new signs as the current signs are sun bleached and faded. Signage for the bathrooms and other spaces in the stadium is needed. We would suggest the city put out an RFP for ADA signage for both the City Hall and Stadium in one action item.



Campanelli Stadium, 1 Feinberg Way, Brockton, MA 02301
Inspection Date: May 19, 2023
Inspector: Mark Dempsey

Parking: Accessible parking signage

Lat/Long: [42.07005, -71.04267]

BFID: 828563 - Parking signage

Feature: Parking signage

The required parking signage is missing.

Parking space identification signs shall include the International Symbol of Accessibility (ISA). Signs identifying van parking spaces shall contain the designation "van accessible." All signs shall be 60 inches minimum above the finish floor or ground surface measured to the bottom of the sign.

2010 ADAS Section 502.6

Parking space identification signs shall include the International Symbol of Accessibility complying with 703.7.2.1. Signs identifying van parking spaces shall contain the designation "van accessible." Signs shall be 60 inches (1525 mm) minimum above the finish floor or ground surface measured to the bottom of the sign.

Citation:

2010 ADAS Section: 502.6

As Built:

Signs are faded and no symbol is readable at eighteen (18) accessible parking spaces

Budgeting Range:

\$450 - \$3,000.00

Recommendation:

Replace the signs.

Barrier Priority:

Important (2): Should be completed as soon as possible. (Includes; Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:

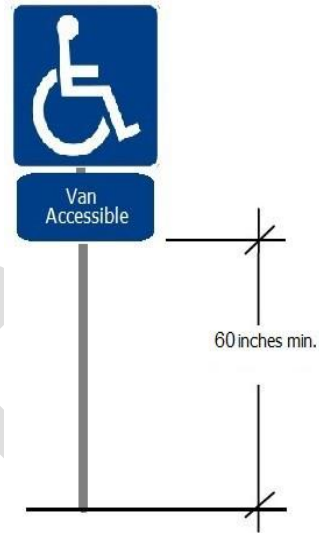
N/A

Notes:

N/A



Finding 828563 Main Photo



Signage: Rooms and services
Lat/Long: [42.07005, -71.04267]
BFID: 829612 - Signage

Compliant room identification signs are missing.

Sign shall be located alongside the door at the latch side. Where a tactile sign is provided at double doors with one active leaf, the sign shall be located on the inactive leaf. Where a tactile sign is provided at double doors with two active leaves, the sign shall be located to the right of the right-hand door. Where there is no wall space at the latch side of a single door or at the right side of double doors, signs shall be located on the nearest adjacent wall. Signs containing tactile characters shall be located so that a clear floor space of 18 inches minimum by 18 inches minimum, centered on the tactile characters, is provided beyond the arc of any door swing between the closed position and 45-degree open position.

Wall signs identifying permanent rooms and spaces of a building shall be in a horizontal format and the characters raised 1/32 inch minimum and shall be sans serif uppercase characters a minimum of 5/8 inch and a maximum of 2 inches high. Contracted Grade 2 Braille shall be in a horizontal format and shall be placed a minimum of 3/8 inch and a maximum of 1/2 inch directly below the tactile characters; flush left or centered. Dots shall be 1/10 inch on center in each cell with 2/10-inch space between cells, measured from the second column of dots in the first cell to the first column of dots in the second cell. Dots shall be raised a minimum of 1/40 inch above the background. Braille dots shall be domed or rounded. Signs with raised characters or Braille shall be located 48 inches minimum above the finish floor or ground surface, measured from the baseline of the lowest tactile character and 60 inches maximum above the finish floor or ground surface, measured from the baseline of the highest tactile character.

2010 ADAS Section 216.2

Interior and exterior signs identifying permanent rooms and spaces shall comply with 703.1, 703.2, and 703.5. Where pictograms are provided as designations of permanent interior rooms and spaces, the pictograms shall comply with 703.6 and shall have text descriptors complying with 703.2 and 703.5.

2010 ADAS Section 703.4.2

Where a tactile sign is provided at a door, the sign shall be located alongside the door at the latch side. Where a tactile sign is provided at double doors with one active leaf, the sign shall be located on the inactive leaf. Where a tactile sign is provided at double doors with two active leaves, the sign shall be located to the right of the right-hand door. Where there is no wall space at the latch side of a single door or at the right side of double doors, signs shall be located on the nearest adjacent wall. Signs containing tactile characters shall be located so that a clear floor space of 18 inches (455 mm) minimum by 18 inches (455 mm) minimum, centered on the tactile characters, is provided beyond the arc of any door swing between the closed position and 45-degree open position.

Citation:

2010 ADAS Section: 216.2, 703.4.2

As Built:

Signage missing from bathrooms, concessions stands etc.

Budgeting Range:

\$3,000 - \$20,000.00

Recommendation:

The city should do an RFP for a sign company to look at providing ADA signage within the stadium. This could be combined with other municipal buildings that need signage like Cit Hall

Barrier Priority:

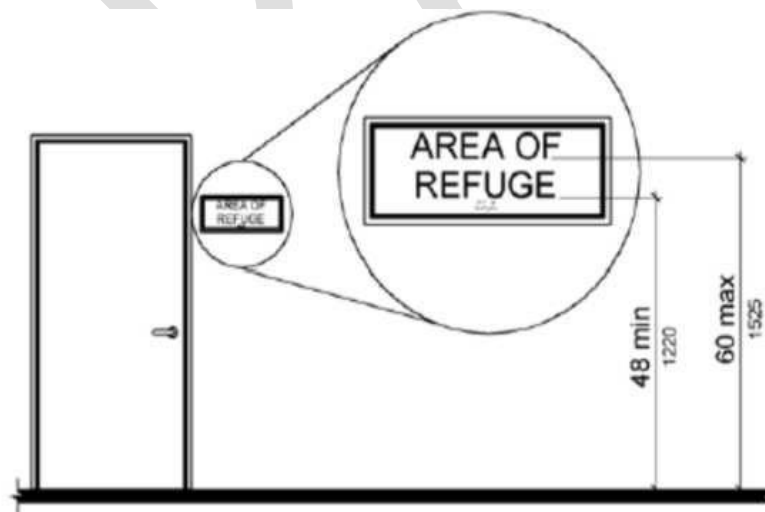
Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:

N/A

Notes:

N/A



Bathrooms: Stall coat hooks

Lat/Long: [42.07005, -71.04267]

BFID: 828567 - Coat hook in accessible stall

The coat hook is installed greater than 48 inches above the finished floor.

Where a forward reach is unobstructed, the high forward reach shall be 48 inches maximum above the finished floor.

2010 ADAS Section 308.2.1

Where a forward reach is unobstructed, the high forward reach shall be 48 inches (1220 mm) maximum and the low forward reach shall be 15 inches (380 mm) minimum above the finish floor or ground.

Citation:

2010 ADAS Section: 308.2.1

As Built:

Coat hook is not provide

Budgeting Range:

\$150 - \$1,500.00

Recommendation:

N/A - Refer to Finding

Barrier Priority:

High (1): Should be completed immediately. (Includes: Findings that have little or no cost, were in violation of the codes at the time of construction, or pose an imminent safety threat)

Estimated Remediation Date:

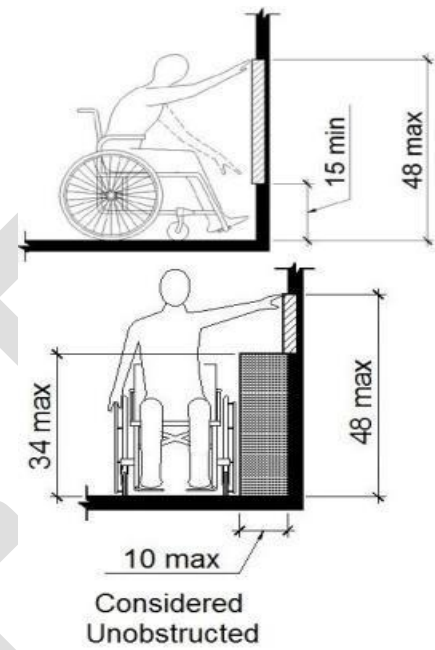
N/A

Notes:

N/A



Finding 828567 Main Photo



Golf Club House, 331 Oak Street

The Clubhouse is approximately 100 years old. The accessible vehicle parking needs proper pavement marking and signage. The route from the parking lot to the clubhouse needs to be modified so the slope and surface meet the ADA requirements. The existing accessible entrance needs to be changed so the proper slope and landing is provided at the entrance into the clubhouse. An accessible entrance to the shop. Both the men's and women's bathrooms are not accessible. A feasibility study should be done to see if a single user accessible bathroom can be in the area of the bathrooms.



Golf Clubhouse, 331 Oak Street, Brockton, MA 02301

Inspection Date: May 11, 2023

Inspector: Mark Dempsey

Parking: Accessible parking

Lat/Long: [42.1016, -71.03915]

BFID: 828529 - Accessible parking missing striped access aisles and above ground signs

The access aisle is missing at the accessible parking stall.

Access aisles serving parking spaces shall adjoin an accessible route. Two parking spaces shall be permitted to share a common access aisle.

2010 ADAS Section 502.2

Car parking spaces shall be 96 inches (2440 mm) wide minimum and van parking spaces shall be 132 inches (3350 mm) wide minimum, shall be marked to define the width, and shall have an adjacent access aisle complying with 502.3.

Citation:

2010 ADAS Section: 502.2

As Built:

Five accessible spaces marked on the pavement three above ground signs no striped exercise

Budgeting Range:

\$1,500 - \$4,500.00

Recommendation:

Restripe the pavement to include access aisles then locate above ground signs at the head of each space

Barrier Priority:

Important (2): Should be completed as soon as possible. (Includes; Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:

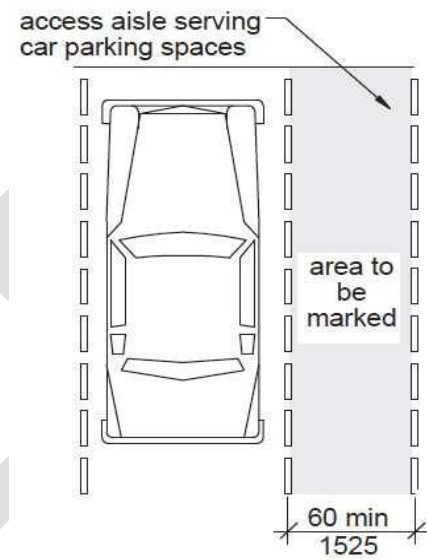
N/A

Notes:

N/A



Finding 828529



Finding 828529 Additional Photo

Route from parking to building: Walkway slope and obstructions

Lat/Long: [42.1016, -71.03915]

BFID: 828530 - Walkway slope

The accessible route between the building entrance and the accessible vehicle parking has running slopes greater than 5% and has not been constructed as a ramp (i.e. handrails, edge protection, etc.).

When the slope in the direction of travel of any walk exceeds 1 unit vertical in 20 units horizontal (5-percent slope), it must be constructed as a ramp. Surface cross slopes must not exceed one unit vertical in 48 units horizontal (2-percent slope).

2010 ADAS Section 403.3

The running slope of walking surfaces shall not be steeper than 1:20. The cross slope of walking surfaces shall not be steeper than 1:48.

Citation:

2010 ADAS Section: 403.3

As Built:

Slope exceeds 8.3% the first section of walk leaving the paved parking lot with measurements up to 21.8%

Budgeting Range:

\$15,000 - \$30,000.00

Recommendation:

Look to create a walkway with a maximum slope of 5% so landings and handrails will not be required. A lot of this work can be done by the DPW and Parks and Recreation work crews.

Barrier Priority:

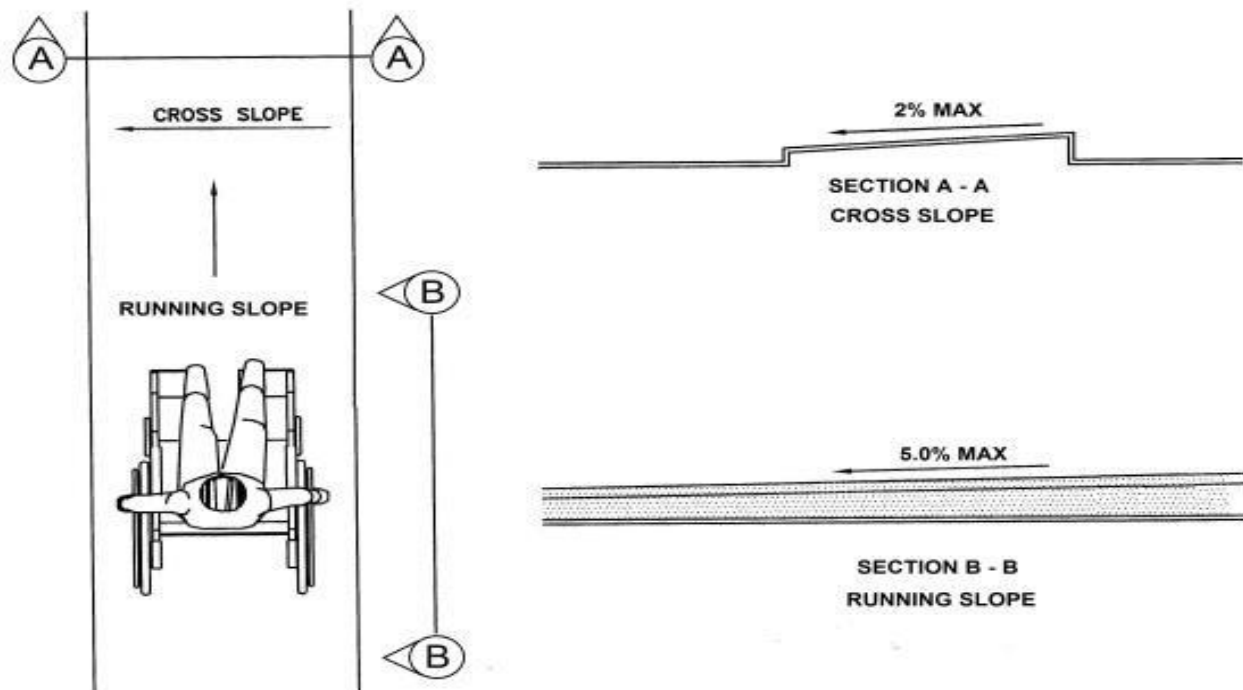
Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:

N/A

Notes:

N/A



Finding 828530 Additional Photo



Finding 828530 Additional Photo

Route from parking to building: Walkway slope and obstructions

Lat/Long: [42.1016, -71.03915]

BFID: 828531 - Thirty-six (36) wide path obstructed by a boulder

The walking surface is obstructed. A 36-inch-wide minimum walking surface is required.

2010 ADAS Section 403.5.1

Except as provided in 403.5.2 and 403.5.3, the clear width of walking surfaces shall be 36 inches (915 mm) minimum.

Citation:

2010 ADAS Section: 403.5.1

As Built:

Tree roots and a boulder obstruct the approach into the clubhouse reducing the width of the path to less than thirty-six (36) inches wide

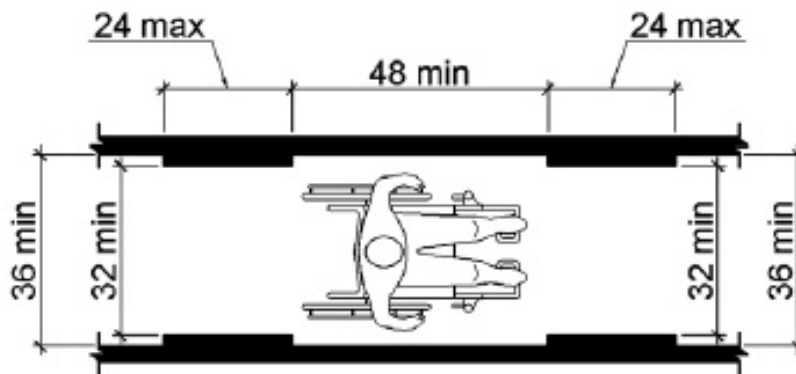
Budgeting Range:
\$500 - \$4,500.00

Recommendation:
When the portion of the walkway near the parking lot is redeveloped this can be corrected within that scope of work

Barrier Priority:
Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:
N/A

Notes:
N/A





Finding 828531 Additional Photo

Building Entrances: Approach

Lat/Long: [42.1016, -71.03915]

BFID: 828532 - Entrance to Snack bar and bathrooms

The maneuvering clearance at the entrance door exceeds 2% slope.

Exterior doors with a front approach must have a landing on the pull side that is a minimum of 60 inches in depth perpendicular to the door in a close position by a minimum width dimension of 18 inches plus the door width. The additional 18 inches must extend past the door on the latch side. The entire maneuvering clearance must be free of obstructions and must be flat (2% max. slope is considered flat in any direction).

2010 ADAS Section 404.2.4.4

Floor or ground surface within required maneuvering clearances shall comply with 302. Changes in level are not permitted.

Citation:

2010 ADAS Section: 404.2.4.4

As Built:

No level landing at entry door. Slope measures 13% at door

Budgeting Range:

\$10,000 - \$15,000.00

Recommendation:

Provide a level landing outside the door and if space allows create a walkway (less than 5%)

Barrier Priority:

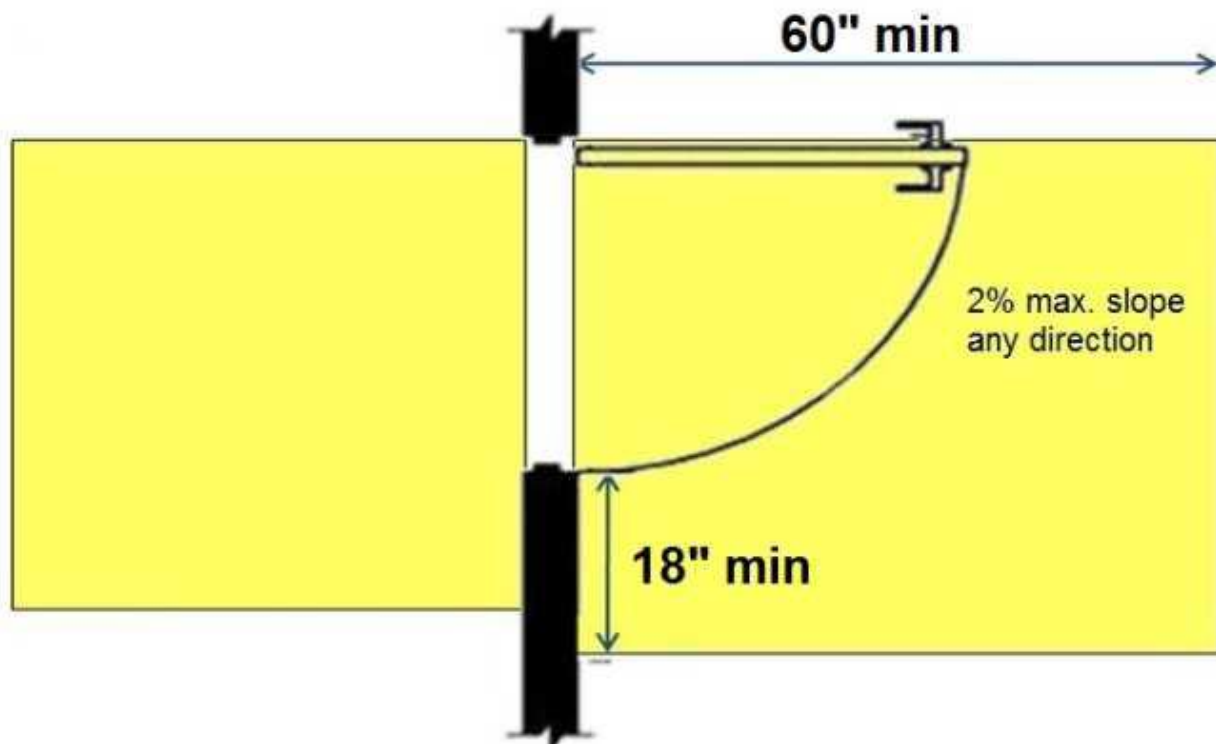
N/A

Estimated Remediation Date:

N/A

Notes:

N/A





Finding 828532 Additional Photo



Finding 828532 Additional Photo

Building Entrances: Approach
Lat/Long: [42.1016, -71.03915]
BFID: 828560 - ProShop entrance

The door maneuvering clearance contains changes in level.

Floor or ground surface within required maneuvering clearances shall comply with Floor or Ground Surfaces. Changes in level are not permitted.

The entire maneuvering clearance must be free of obstructions and must be flat (2% max. slope is considered flat in any direction).

2010 ADAS Section 404.2.4.4

Floor or ground surface within required maneuvering clearances shall comply with 302. Changes in level are not permitted.

Citation:

2010 ADAS Section: 404.2.4.4

As Built:

Entrance is not accessible due to two (2) steps

Budgeting Range:

\$10,000 - \$15,000.00

Recommendation:

Look at creating a level landing at the ProShop entrance and if space allows create a walkway (5% or less) to the landing.

Barrier Priority:

Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:

N/A

Notes:

N/A



Finding 828560 Main Photo

Building interior: bathroom
Lat/Long: [42.1016, -71.03915]
BFID: 828533 - Accessible bathroom

The restrooms is not nearly compliant.

2010 ADAS Section 213.2

Where toilet rooms are provided, each toilet room shall comply with 603. Where bathing rooms are provided, each bathing room shall comply with 603.

Citation:

2010 ADAS Section: 213.2

As Built:

Neither the men's or women's bathroom are accessible.

Budgeting Range:

\$4,500 - \$25,000.00

Recommendation:

Build a single user accessible bathroom instead of making the existing bathrooms accessible

Barrier Priority:

Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

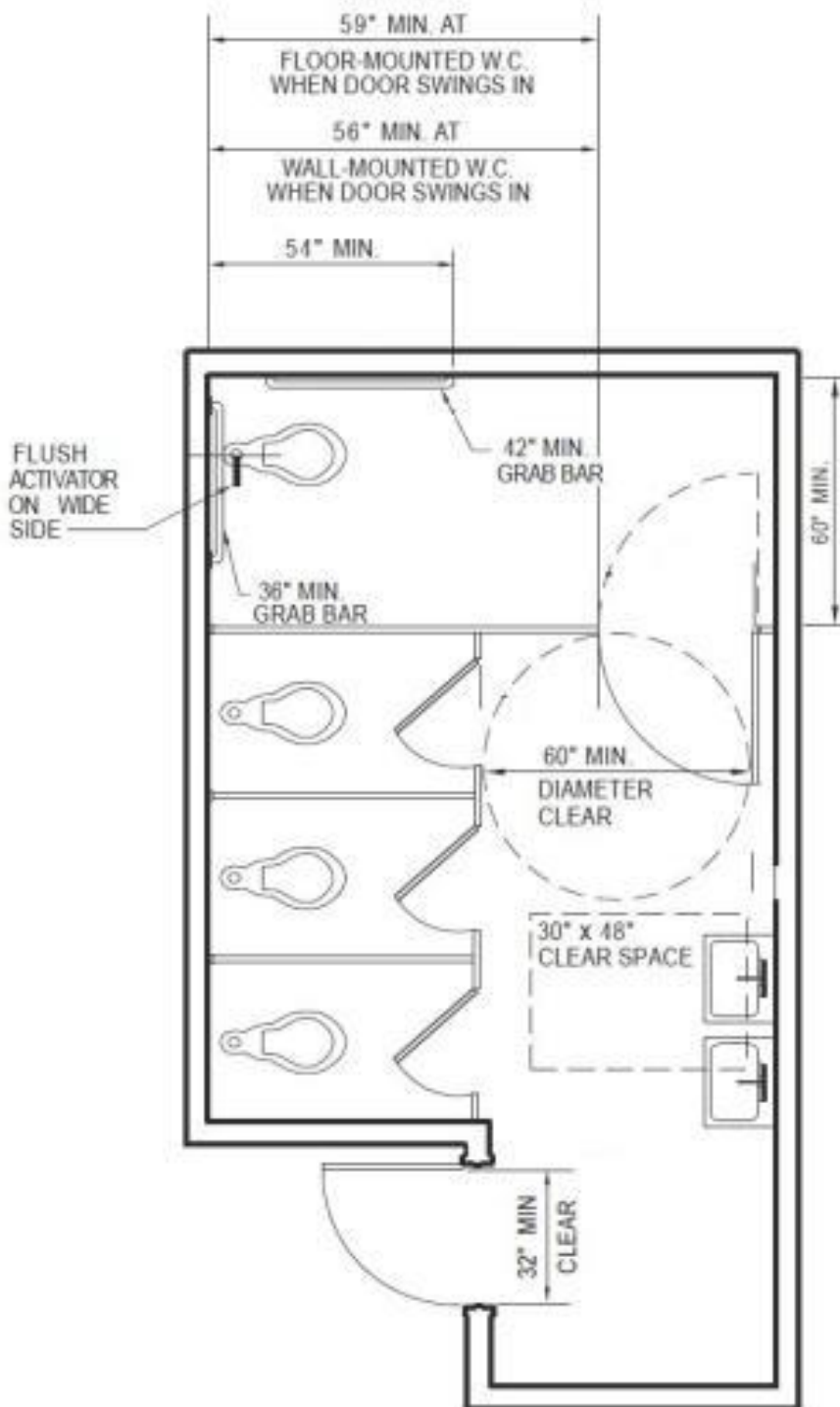
Estimated Remediation Date:

N/A

Notes:

N/A

DRAFT



Building interior: transaction counter

Lat/Long: [42.1016, -71.03915]

BFID: 828562 - Snack bar transaction counter

The accessible check-out aisle counter surface is too high.

The counter surface height shall be 38 inches maximum above the finish floor or ground.

2010 ADAS Section 904.3.2

The counter surface height shall be 38 inches (965 mm) maximum above the finish floor or ground. The top of the counter edge protection shall be 2 inches (51 mm) maximum above the top of the counter surface on the aisle side of the check-out counter.

Citation:

2010 ADAS Section: 904.3.2

As Built:

Counter height measures thirty- eight and one half (38 1/2) inches

Budgeting Range:

\$0 - \$0.00

Recommendation:

Leave counter as is and provide accessible service at accessible table for patron who need access. When counter gets replaces plan for compliant height.

Barrier Priority:

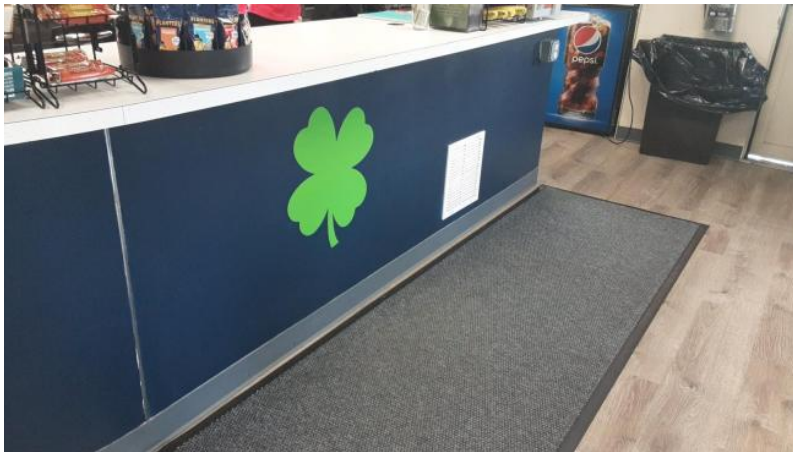
Low (4): Should be completed as soon as possible due to being a technical violation but may not result in providing greater access to persons with disabilities. (Includes: Findings that are technically violations but provide a moderate to low increase in accessibility compared to the financial impact on the entity)

Estimated Remediation Date:

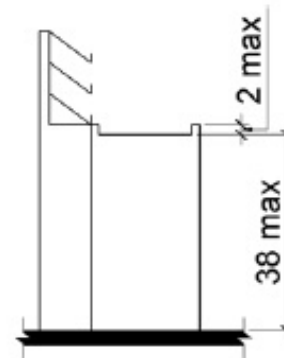
N/A

Notes:

N/A



Finding 828562 Main Photo



Building interior: transaction counter

Lat/Long: [42.1016, -71.03915]

BFID: 828561 - ProShop Counter

The accessible check-out aisle counter surface is too high. The counter surface height shall be 38 inches maximum above the finish floor or ground.

2010 ADAS Section 904.3.2

The counter surface height shall be 38 inches (965 mm) maximum above the finish floor or ground. The top of the counter edge protection shall be 2 inches (51 mm) maximum above the top of the counter surface on the aisle side of the check-out counter.

Citation:

2010 ADAS Section: 904.3.2

As Built:

Transaction counter measures forty (40) inches high

Budgeting Range:

\$2,500 - \$5,000.00

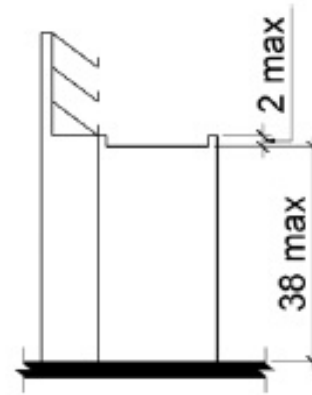
Recommendation:

ProShop is not accessible at this time. When corrections are made to provide access to the ProShop look at lowering a portion of the counter to an accessible height

Barrier Priority:
N/A

Estimated Remediation Date:
N/A

Notes:
N/A



Finding 828561 Main Photo

Cemetery Office, 88 North Pearl Street

The Cemetery Office is a small building constructed in 1890. Due to the size and location, we would suggest relocating the office as adding a ramp is very difficult with the existing streets and graves in the proximity of the building. An existing Maintenance Garage built in 1977 could be modified for use as an office.



Cemetery Office, 88 N. Pearl Street, Brockton, MA 02301
Inspection Date: June 14, 2023
Inspector: Mark Dempsey

Parking

Finding: 1

There are no accessible parking stalls.

Each lot where parking is provided for the public as clients, guests or employees, shall provide accessible parking and shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance.

There are a total of approximately ten (10) parking stalls in the parking lot that could be reasonably associated with this facility. There should be a minimum of (1) accessible stalls with a minimum of (1) being designed as van accessible.

2010 ADAS Section 208.2

Parking spaces complying with 502 shall be provided in accordance with Table 208.2 except as required by 208.2.1, 208.2.2, and 208.2.3. Where more than one parking facility is provided on a site, the number of accessible spaces provided on the site shall be calculated according to the number of spaces required for each parking facility.

Citation:

2010 ADAS Section: 208.2

Budgeting Range:

\$500 - \$1,500.00

As Built:

There is an area to park approximately ten (10) cars. No marking of spaces are provided. Parking is typically on the cemetery roads.

Recommendation:

Create one (1) accessible parking space in the area of the garage.

Barrier Priority:

2 (Important): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Total Number of Parking Spaces Provided in Parking Facility	Minimum Number of Required Accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent total
1001 and over	10, plus 1 each 100, or fraction thereof, over 1000

Building

Finding: 2

At least 60% of all public entrances must be accessible and on an accessible route.

Based on the number of ground floor entrances provided for the building one (1), at least one (1) of the existing entrance doors are required to be brought up to compliance if readily achievable to do so. This would include an accessible path of travel to the entrances, from accessible parking spaces and the public way.

2010 ADAS Section 206.4.1

In addition to entrances required by 206.4.2 through 206.4.9, at least 60 percent of all public entrances shall comply with 404.

Citation:

2010 ADAS Section: 206.4.1

Budgeting Range:

\$0 - \$0.00

As Built:

One (1) entrance is provided for the Building.

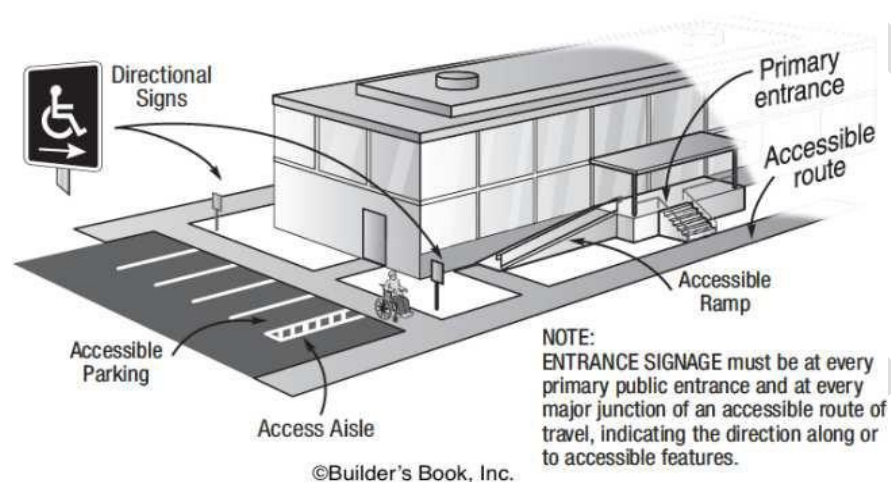
Recommendation:

The office building is small in size (450 s.f.) and originally constructed in 1890. There is a garage on site that has over 3,000 s.f.. The City may want to look at the feasibility of relocating the office due to the limited space in the existing office.

Barrier Priority:

2 (Important): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

ACCESSIBLE ENTRANCES



Building

Finding: 3

The door maneuvering clearance contains changes in level.

Floor or ground surface within required maneuvering clearances shall comply with Floor or Ground Surfaces. Changes in level are not permitted.

The entire maneuvering clearance must be free of obstructions and must be flat (2% max. slope is considered flat in any direction).

2010 ADAS Section 404.2.4.4

Floor or ground surface within required maneuvering clearances shall comply with 302. Changes in level are not permitted.

Citation:

2010 ADAS Section: 404.2.4.4

Budgeting Range:

\$7,500 - \$10,000.00

As Built:

The entrances has three (3) steps

Recommendation:

The office building is small in size (450 s.f.) and originally constructed in 1890. There is a garage on site that has over 3,000 s.f.. The City may want to look at the feasibility of relocating the office due to the limited space in the existing office.

Barrier Priority:

3 (Moderate): Should be completed as soon as possible, 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)



Building

Finding: 4

The transaction counter is too high.

The counter height shall be 36 inches maximum.

For parallel approaches a portion of the counter surface that is 36 inches long minimum and 36 inches high maximum above the finish floor shall be provided.

For a forward approach a portion of the counter surface that is 30 inches long minimum and 36 inches high maximum.

2010 ADAS Section 904.4.2

A portion of the counter surface that is 30 inches (760 mm) long minimum and 36 inches (915 mm) high maximum shall be provided. Knee and toe space complying with 306 shall be provided under the counter. A clear floor or ground space complying with 305 shall be positioned for a forward approach to the counter.

2010 ADAS Section 904.4.1

A portion of the counter surface that is 36 inches (915 mm) long minimum and 36 inches (915 mm) high maximum above the finish floor shall be provided. A clear floor or ground space complying with 305 shall be positioned for a parallel approach adjacent to the 36 inch (915 mm) minimum length of counter.

Citation:

2010 ADAS Section: 904.4.2, 904.4.1

Budgeting Range:

\$2,500 - \$6,500.00

As Built:

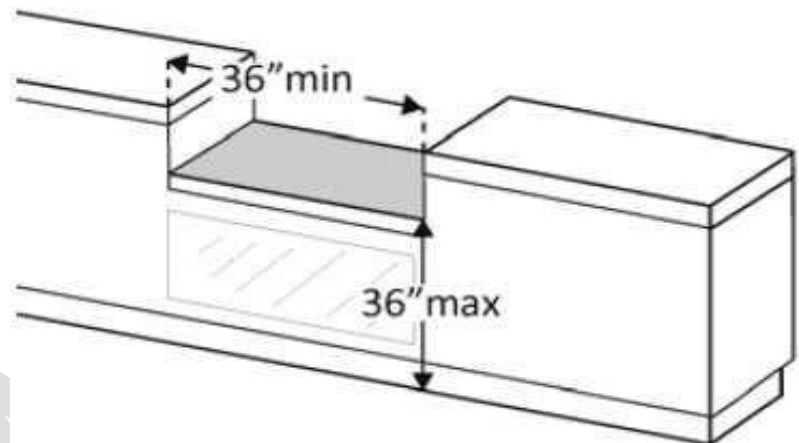
The counter measures 48 inches high

Recommendation:

The office building is small in size (450 s.f.) and originally constructed in 1890. There is a garage on site that has over 3,000 s.f.. The City may want to look at the feasibility of relocating the office due to the limited space in the existing office.

Barrier Priority:

3 (Moderate): Should be completed as soon as possible, 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)



Building

Finding: 5

No visual fire alarms are provided.

Fire alarm systems shall have permanently installed audible and visible alarms complying with NFPA 72.

2010 ADAS Section 702.1

Fire alarm systems shall have permanently installed audible and visible alarms complying with NFPA 72 (1999 or 2002 edition) (incorporated by reference, see "Referenced Standards" in Chapter 1), except that the maximum allowable sound level of audible notification appliances complying with section 4-3.2.1 of NFPA 72 (1999 edition) shall have a sound level no more than 110 dB at the minimum hearing distance from the audible appliance. In addition, alarms in guest rooms required to provide communication features shall comply with sections 4-3 and 4-4 of NFPA 72 (1999 edition) or sections 7.4 and 7.5 of NFPA 72 (2002 edition).

Citation:

2010 ADAS Section: 702.1

Budgeting Range:

\$1,500 - \$4,500.00

As Built:

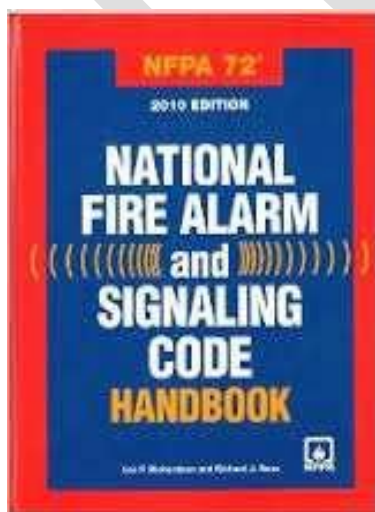
No visual alarm system is provided

Recommendation:

The office building is small in size (450 s.f.) and originally constructed in 1890. There is a garage on site that has over 3,000 s.f.. The City may want to look at the feasibility of relocating the office due to the limited space in the existing office.

Barrier Priority:

4 (Low): Should be completed as soon as possible due to being a technical violation but may not result in providing greater access to persons with disabilities. (Includes: Findings that are technical violations but provide a moderate to low increase in accessibility compared to the financial impact on the entity)



Animal Control Building, 446 Court Street

The animal control office and kennel are in a small building for the purpose it serves. To construct an accessible entrance into the building and route to the interior of the kennel would require major alterations to the building. Also, modifying the bathrooms to make it ADA complaint would take away from the already limited office space provided for the staff. The City should look at alternative space before spending money on the existing building for accessibility.



Animal Control, 446 Court Street, Brockton, MA 02302

Inspection Date: June 14, 2023

Inspector: Mark Dempsey

Exterior: Parking

Lat/Long: [42.08965, -71.00336]

BFID: 829282 - Accessible Parking

Feature: Accessible Parking

There are no accessible parking stalls.

Each lot where parking is provided for the public as clients, guests, or employees, shall provide accessible parking and shall be located on the shortest accessible route of travel from adjacent vehicle parking to an accessible entrance.

There is a total of (XX) parking stalls in the parking lot that could be reasonably associated with this facility. There should be a minimum of one (1) accessible stall with a minimum of one (1) being designed as van accessible.

2010 ADAS Section 208.2

Parking spaces complying with 502 shall be provided in accordance with Table 208.2 except as required by 208.2.1, 208.2.2, and 208.2.3. Where more than one parking facility is provided on a site, the number of accessible spaces provided on the site shall be calculated according to the number of spaces required for each parking facility.

Citation:

2010 ADAS Section: 208.2

Budgeting Range:

\$1,500 - \$9,500.00

As Built:

No accessible parking provided. The parking lot is dirt grass and gravel.

Recommendation:

Before any work is done on the building the City should determine the long-term location of the Animal Control Office and Kennel.

Barrier Priority:

N/A

Estimated Remediation Date:

N/A

Notes:

N/A

Total Number of Parking Spaces Provided in Parking Facility	Minimum Number of Required Accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent total
1001 and over	10, plus 1 each 100, or fraction thereof, over 1000

Building

Lat/Long: [42.08965, -71.00336]

BFID: 829283 - Entrance

Feature: Entrance

The door maneuvering clearance contains changes in level.

Floor or ground surface within required maneuvering clearances shall comply with Floor or Ground Surfaces. Changes in level are not permitted.

The entire maneuvering clearance must be free of obstructions and must be flat (2% max. slope is considered flat in any direction).

2010 ADAS Section 404.2.4.4

Floor or ground surface within required maneuvering clearances shall comply with 302. Changes in level are not permitted.

Citation:

2010 ADAS Section: 404.2.4.4

Budgeting Range:

\$20,000 - \$40,000.00

As Built:

Two steps at entrance. No accessible entrance is provided.

Recommendation:

Before any work is done on the building the City should determine the long-term location of the Animal Control Office and Kennel.

Barrier Priority:

N/A

Estimated Remediation Date:

N/A

Notes:

N/A

Building

Lat/Long: [42.08965, -71.00336]

BFID: 829287 - Door

The door opening does not provide at least 32 inches between the face of the door and the opposite stop.

Door openings shall provide a clear width of 32 inches minimum. Clear openings of doorways with swinging doors shall be measured between the face of the door and the stop, with the door open 90 degrees.

2010 ADAS Section 404.2.3

Door openings shall provide a clear width of 32 inches (815 mm) minimum. Clear openings of doorways with swinging doors shall be measured between the face of the door and the stop, with the door open 90 degrees. Openings more than 24 inches (610 mm) deep shall provide a clear opening of 36 inches (915 mm) minimum. There shall be no projections into the required clear opening width lower than 34 inches (865 mm) above the finish floor or ground. Projections into the clear opening width between 34 inches (865 mm) and 80 inches (2030 mm) above the finish floor or ground shall not exceed 4 inches (100 mm).

Citation:

2010 ADAS Section: 404.2.3

Budgeting Range:

\$1,000 - \$2,500.00

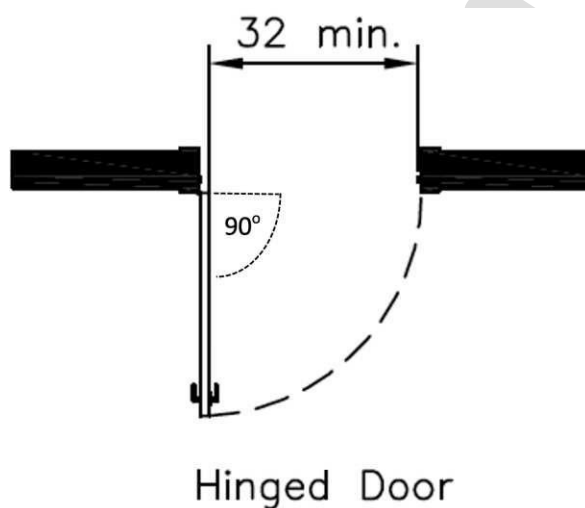
As Built:
28-inch door at the entrance

Recommendation:
Before any work is done on the building the City should determine the long-term location of the Animal Control Office and Kennel.

Barrier Priority:
N/A

Estimated Remediation Date:
N/A

Notes:
N/A



Building
Lat/Long: [42.08965, -71.00336]
BFID: 829286 - Door hardware

The door/gate operating hardware is not accessible.
Hand-activated door/gate opening hardware, handles, pulls, latches, locks, and other operating devices on accessible doors shall have a shape that is easy to grasp with one hand and does not require tight grasping, pinching, or twisting of the wrist to operate. Hardware shall be 34 inches minimum and 48 inches maximum above the finish floor or ground.

2010 ADAS Section 404.2.7

Handles, pulls, latches, locks, and other operable parts on doors and gates shall comply with 309.4. Operable parts of such hardware shall be 34 inches (865 mm) minimum and 48 inches (1220 mm) maximum above the finish floor or ground. Where sliding doors are in the fully open position, operating hardware shall be exposed and usable from both sides.

Citation:

2010 ADAS Section: 404.2.7

Budgeting Range:

\$25 - \$250.00

As Built:

Hardware on entry door is a door knob

Recommendation:

Before any work is done on the building the City should determine the long-term location of the Animal Control Office and Kennel.

Barrier Priority:

N/A

Estimated Remediation Date:

N/A

Notes:

N/A

Building

Lat/Long: [42.08965, -71.00336]

BFID: 829285 - Transaction Counter

The transaction counter is too high. The counter height shall be 36 inches maximum.

For parallel approaches a portion of the counter surface that is 36 inches long minimum and 36 inches high maximum above the finish floor shall be provided.

For a forward approach a portion of the counter surface that is 30 inches long minimum and 36 inches high maximum.

2010 ADAS Section 904.4.2

A portion of the counter surface that is 30 inches (760 mm) long minimum and 36 inches (915 mm) high maximum shall be provided. Knee and toe space complying with 306 shall be provided under the counter. A clear floor or ground space complying with 305 shall be positioned for a forward approach to the counter.

2010 ADAS Section 904.4.1

A portion of the counter surface that is 36 inches (915 mm) long minimum and 36 inches (915 mm) high maximum above the finish floor shall be provided. A clear floor or ground space complying with 305 shall be positioned for a parallel approach adjacent to the 36 inch (915 mm) minimum length of counter.

Citation:

2010 ADAS Section: 904.4.2, 904.4.1

Budgeting Range:

\$2,500 - \$6,500.00

As Built:

Counter height is over 36 inches high

Recommendation:

Before any work is done on the building the City should determine the long-term location of the Animal Control Office and Kennel.

Barrier Priority:

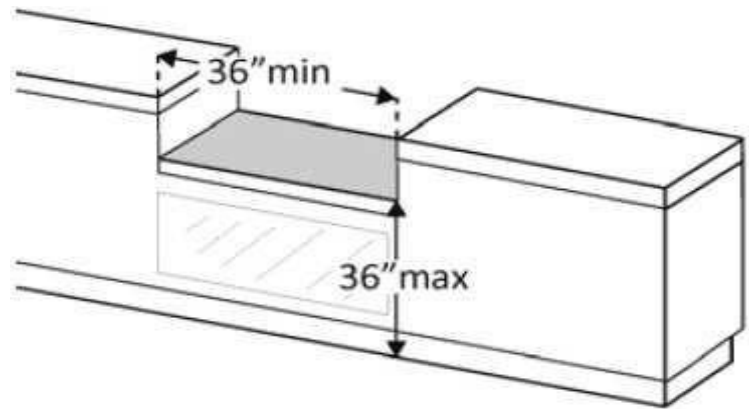
N/A

Estimated Remediation Date:

N/A

Notes:

N/A



Finding 829285 Main Photo

Building

Lat/Long: [42.08965, -71.00336]

BFID: 829284 - Visual Alarms

No visual fire alarms are provided.

Fire alarm systems shall have permanently installed audible and visible alarms complying with NFPA 72.

2010 ADAS Section 702.1

Fire alarm systems shall have permanently installed audible and visible alarms complying with NFPA 72 (1999 or 2002 edition) (incorporated by reference, see "Referenced Standards" in Chapter 1), except that the maximum allowable sound level of audible notification appliances complying with section 4-3.2.1 of NFPA 72 (1999 edition) shall have a sound level no more than 110 dB at the minimum hearing

distance from the audible appliance. In addition, alarms in guest rooms required to provide communication features shall comply with sections 4-3 and 4-4 of NFPA 72 (1999 edition) or sections 7.4 and 7.5 of NFPA 72 (2002 edition).

Citation:

2010 ADAS Section: 702.1

Budgeting Range:

\$1,500 - \$4,500.00

As Built:

No visual fire alarms are provided

Recommendation:

Before any work is done on the building the City should determine the long-term location of the Animal Control Office and Kennel.

Barrier Priority:

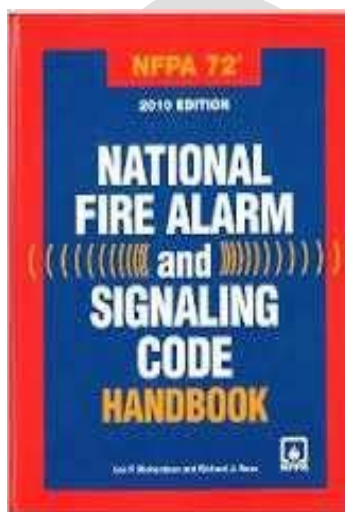
N/A

Estimated Remediation Date:

N/A

Notes:

N/A



Building

Lat/Long: [42.08965, -71.00336]

BFID: 829288 - Change in Level

There is a change in level that exceeds the allowable range.

A 1/4 inch is the maximum vertical rise. Changes in level between 1/4 inch and 1/2 inch must be beveled at 1:2 or less. Changes in level greater than 1/2 inch must be by way of a ramp.

2010 ADAS Section 303.3

Changes in level between 1/4 inch (6.4 mm) high minimum and 1/2 inch (13 mm) high maximum shall be beveled with a slope not steeper than 1:2.

Citation:

2010 ADAS Section: 303.3

Budgeting Range:

\$0 - \$0.00

As Built:

Step into kennel

Recommendation:

Before any work is done on the building the City should determine the long-term location of the Animal Control Office and Kennel.

Barrier Priority:

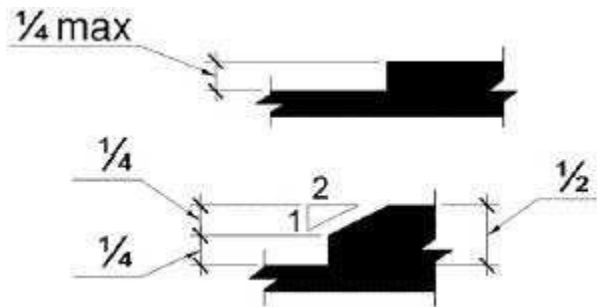
N/A

Estimated Remediation Date:

N/A

Notes:

N/A



Building

Lat/Long: [42.0896448, -71.003364]

BFID: 829312 - Toilet room

The restroom is not nearly compliant.

Current toilet room does not have the space to provide the required maneuvering space to make it accessible under the ADA.

2010 ADAS Section 213.2

Where toilet rooms are provided, each toilet room shall comply with 603. Where bathing rooms are provided, each bathing room shall comply with 603.

Citation:

2010 ADAS Section: 213.2

Budgeting Range:

\$1,500 - \$8,500.00

As Built:

Not accessible

Recommendation:

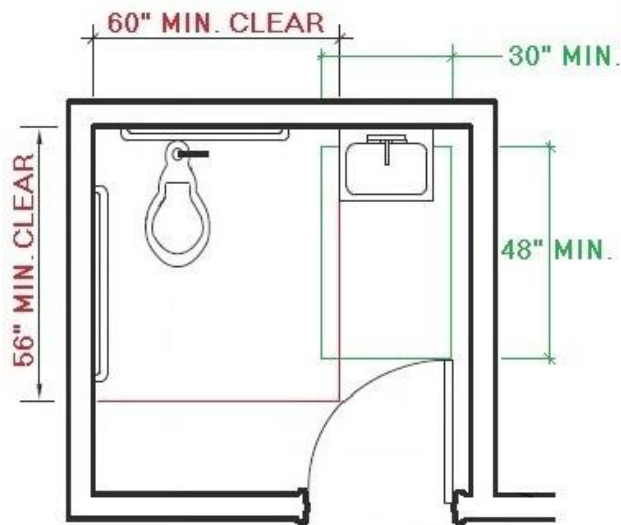
Before any work is done on the building the City should determine the long-term location of the Animal Control Office and Kennel.

Barrier Priority:

Low (4): Should be completed as soon as possible due to being a technical violation but may not result in providing greater access to persons with disabilities. (Includes: Findings that are technically violations but provide a moderate to low increase in accessibility compared to the financial impact on the entity)

Estimated Remediation Date:
N/A

Notes:
N/A



Fire Headquarters, 52 Pleasant Street

The Fire Alarm HQ building was constructed in 1922. The services offered to the public are offered on the second level. The city recently broke ground on a new public safety building that when completed will house the Fire Alarm HQ office and the programs that it offers. The city should make a policy that people with disabilities can contact the office by email or phone and receive the service at their car until this service is relocated to the new building.



Fire Alarm Headquarters, 52 Pleasant Street, Brockton, MA 02301

Inspection Date: June 23, 2023

Inspector: Mark Dempsey

Fire Alarm HQ: Parking

Lat/Long: [42.0853652, -71.0214079]

BFID: 829577 - Accessible Parking

Feature: Accessible Parking

There are no accessible parking stalls.

Each lot where parking is provided for the public as clients, guests, or employees, shall provide accessible parking and shall be located on the shortest accessible route of travel from adjacent vehicle parking to an accessible entrance.

A minimum of one accessible stall is required and it must be sized and designated as a van accessible stall.

2010 ADAS Section 208.2.4

For every six or fraction of six parking spaces required by 208.2 to comply with 502, at least one shall be a van parking space complying with 502.

Citation:

2010 ADAS Section: 208.2.4

Budgeting Range:

\$1,500 - \$9,500.00

As Built:

No marked accessible parking is provided.

Recommendation:

Add one (1) accessible parking space that is van accessible. Space can be eleven feet (11) wide with a five foot (5) wide striped access aisle or eight feet (8) wide with an eight foot (8) wide striped access aisle.

Barrier Priority:

Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:

N/A

Notes:

N/A

208.2 Parking Spaces	
Total Number of Parking Spaces Provided in Parking Facility	Minimum Number of Required Accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent total
1001 and over	10, plus 1 each 100, or fraction thereof, over 1000

Fire Alarm HQ: Building

Lat/Long: [42.0853652, -71.0214079]

BFID: 829520

At least 60% of all public entrances must be accessible and on an accessible route.

Based on the number of ground floor entrances provided for the building (1), at least (1) of the existing entrance doors are required to be brought up to compliance if readily achievable to do so. This would include an accessible path of travel to the entrances, from accessible parking spaces and the public way.

2010 ADAS Section 206.4.1

In addition to entrances required by 206.4.2 through 206.4.9, at least 60 percent of all public entrances shall comply with 404.

Citation:

2010 ADAS Section: 206.4.1

Budgeting Range:

\$0 - \$0.00

As Built:

No accessible entrance into the building

Recommendation:

Put a policy into place where a customer can call or email to receive the same service at the driveway as door is up a step. Certificates and other permits are located on the second floor. The construction of a new public safety building underway providing accessible customer service is the most cost effective way to provide accessibility.

Barrier Priority:

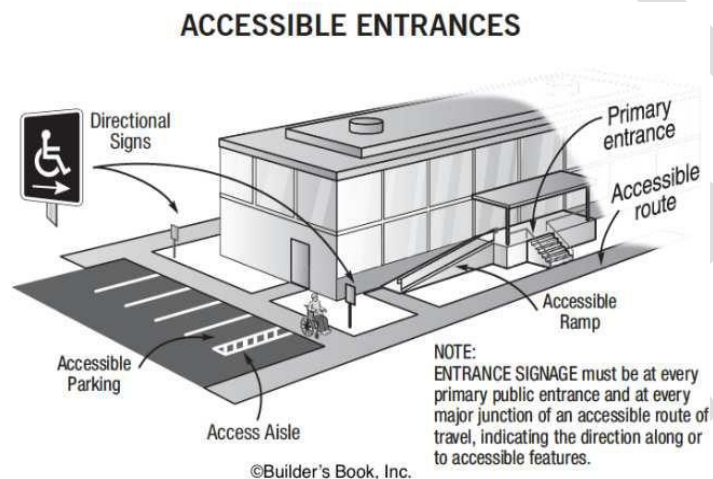
N/A

Estimated Remediation Date:

N/A

Notes:

N/A



Fire Alarm HQ: Building

Lat/Long: [42.0853652, -71.0214079]

BFID: 829578

At least one accessible route (i.e., elevator, ramp or platform lift) shall connect each story and mezzanine in multistory buildings and facilities.

The elevator exemption note below does not apply to Title II government facilities and entities. Title II facilities must make their programs accessible. If vertical access cannot be achieved, then the program must be relocated, removed, or made accessible.

The following buildings and facilities do not require vertical access:

In private buildings or facilities that are less than three stories or that have less than 3000 square feet per story, an accessible route shall not be required to connect stories provided that the building or facility is not a shopping center, a shopping mall, the professional office of a health care provider, a terminal, depot or other station used for specified public transportation, an airport passenger terminal, or another type of facility as determined by the Attorney General.

2010 ADAS Section 206.2.3

At least one accessible route shall connect each story and mezzanine in multi-story buildings and facilities.

Citation:

2010 ADAS Section: 206.2.3

Budgeting Range:

\$0 - \$0.00

As Built:

The building is two (2) stories with no interior vertical access for people with disabilities.

Recommendation:

N/A - Refer to Finding

Barrier Priority:

Recommended (5): Should be completed but not necessarily required. (Includes findings and or elements that may have been in compliance with previous editions of the codes and standards but have since changed. Generally, these items are easily modified to provide the greatest degree of access as well as compliance with the most current codes and standards)

Estimated Remediation Date:

N/A

Notes:

N/A



Americans with Disabilities Act Title II Regulations

**Nondiscrimination on the Basis of Disability
in State and Local Government Services**

Department of Justice
September 15, 2010

Fire Station 1 – Central, 42 Pleasant Street

Fire Station 1 was originally constructed in 1884. This station will be relocated to the new public safety building when completed. The city should revisit the building based on what use the city chooses to put into the building when it will no longer be an active fire station. Structural items as well as ADA Compliance will need to be addressed if the city chooses to make this building a museum.



Fire Station 1 Central, 42 Pleasant Street, Brockton, MA 02301

Inspection Date: June 23, 2023

Inspector: Mark Dempsey

Building

Lat/Long: [42.0852868, -71.0210802]

BFID: 829560 - Entrance into the engine bay area has a change in level.

The walkway contains abrupt vertical edges and/or variations over a 1/2 inch.

1/4 inch is the maximum vertical rise. Changes in level between 1/4 inch and 1/2 inch must be beveled at 1:2 or less.

Changes in level greater than 1/2 inch must be by way of a ramp.

2010 ADAS Section 303.3

Changes in level between 1/4 inch (6.4 mm) high minimum and 1/2 inch (13 mm) high maximum shall be beveled with a slope not steeper than 1:2.

2010 ADAS Section 303.2

Changes in level of 1/4 inch (6.4 mm) high maximum shall be permitted to be vertical.

Citation:

2010 ADAS Section: 303.3, 303.2

Budgeting Range:

\$1,500 - \$4,500.00

As Built:

Built in 1888. New Public Safety building is under construction. Current Station 1 will be transferred to new building.

Recommendation:

Revisit the use of the building when the Station 1 Firemen transfer to the new Public Safety Building. Current building has some structural issues but has a lot of historic elements remaining from the original use of the building

Barrier Priority:

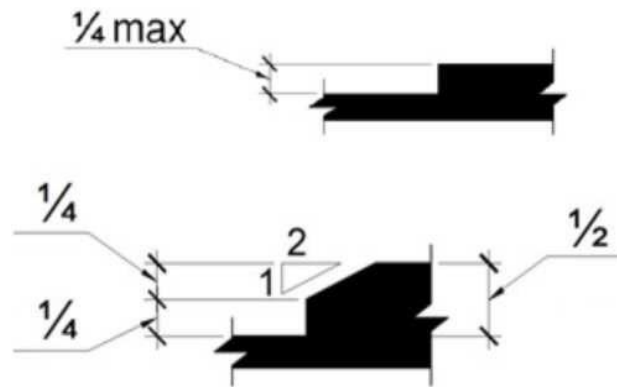
Recommended (5): Should be completed but not necessarily required. (Includes findings and or elements that may have been in compliance with previous editions of the codes and standards but have since changed. Generally, these items are easily modified to provide the greatest degree of access as well as compliance with the most current codes and standards)

Estimated Remediation Date:

N/A

Notes:

N/A



Building

Lat/Long: [42.0852868, -71.0210802]

BFID: 829562

At least one accessible route (i.e., elevator, ramp, or platform lift) shall connect each story and mezzanine in multi-story buildings and facilities.

The following buildings and facilities do not require vertical access:

In private buildings or facilities that are less than three stories or that have less than 3000 square feet per story, an accessible route shall not be required to connect stories provided that the building or facility is not a shopping center, a shopping mall, the professional office of a health care provider, a terminal, depot or other station used for specified public transportation, an airport passenger terminal, or another type of facility as determined by the Attorney General.

The building or facility is not currently being used as a shopping center, a shopping mall, the professional office of a healthcare provider, a terminal, depot or other station used for specified public transportation or an airport passenger terminal. If this changes in the future, the building or facility may not be eligible for this exception.

The elevator exemption does not obviate or limit, in any way the obligation to comply with the other accessibility requirements established in the 2010 ADAS for the second floor as they are readily achievable to do so.

2010 ADAS Section 206.2.3

At least one accessible route shall connect each story and mezzanine in multi-story buildings and facilities.

Citation:

2010 ADAS Section: 206.2.3

Budgeting Range:

\$75,000 - \$200,000.00

As Built:

No vertical access is provided at this time.

Recommendation:

Revisit the use of this building when the new public safety building is brought online, and this building is retired from use as an active fire station. In its current use only, firefighters are allowed on the second floor. No public are allowed on the second floor.

Barrier Priority:

N/A

Estimated Remediation Date:

N/A

Notes:

N/A

Building

Lat/Long: [42.0852868, -71.0210802]

BFID: 829561 - Bathroom not accessible

The restroom is not nearly compliant.

Restroom has a toilet in a small room. No grab bars are provided. Clearances to approach the toilet are not able to be achieved in this room. The sink is located outside this toilet room.

2010 ADAS Section 213.2

Where toilet rooms are provided, each toilet room shall comply with 603. Where bathing rooms are provided, each bathing room shall comply with 603.

Citation:

2010 ADAS Section: 213.2

Budgeting Range:

\$1,500 - \$8,500.00

As Built:

The bathroom is not accessible.

Recommendation:

When the building is being repurposed, a full revisit needs to look at the building in its entirety. This includes accessibility, structural, historic and feasibility

Barrier Priority:

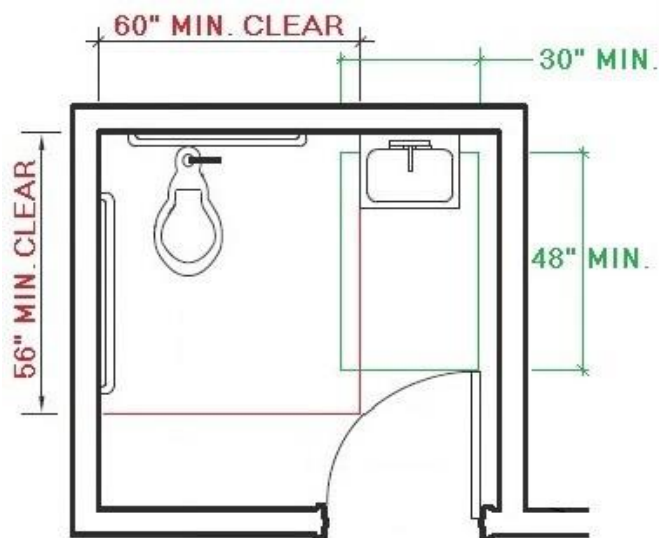
N/A

Estimated Remediation Date:

N/A

Notes:

N/A



Fire Station 6 – West - 540 West Street

Fire Station 6 was constructed in 1979. The Fire Chief currently has an office located in this building. The Fire Chief's office will be relocated to the new public safety building when completed. An accessible parking space needs to be marked on the pavement and properly equipped with an above ground sign.



Fire Station 6 West, 540 West Street, Brockton, MA 02301

Inspection Date: June 22, 2023

Inspector: Mark Dempsey

Parking: Accessible Parking Lat/Long: [42.07066, -71.0443]

BFID: 829579 - Accessible Parking

There are no accessible parking stalls.

Each lot where parking is provided for the public as clients, guests, or employees, shall provide accessible parking and shall be located on the shortest accessible route of travel from adjacent vehicle parking to an accessible entrance.

A minimum of one accessible stall is required and it must be sized and designated as a van accessible stall.

2010 ADAS Section 208.2.4

For every six or fraction of six parking spaces required by 208.2 to comply with 502, at least one shall be a van parking space complying with 502.

Citation:

2010 ADAS Section: 208.2.4

Budgeting Range:

\$1,500 - \$9,500.00

As Built:

No accessible parking provided

Recommendation:

Add one (1) accessible parking space that is van accessible. Space can be eleven feet (11) wide with a five foot (5) wide striped access aisle or eight feet (8) wide with an eight foot (8) wide striped access aisle.

Barrier Priority:

Important (2): Should be completed as soon as possible. (Includes: Findings that would remove barriers to the greatest number of people to your goods and services)

Estimated Remediation Date:

N/A

Notes:

N/A

208.2 Parking Spaces	
Total Number of Parking Spaces Provided in Parking Facility	Minimum Number of Required Accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent total
1001 and over	10, plus 1 each 100, or fraction thereof, over 1000

Building Interior: Maneuvering clearance at Door

Lat/Long: [42.07066, -71.0443]

BFID: 829580 - Pull Side Clearance

The maneuvering clearance on the pull side of the door extends less than 18 inches beyond the latch side of the door.

Maneuvering space for interior doors on the pull side with a front approach must be flat (2% max. slope in any direction) for a minimum distance of 60 inches in the direction of travel. The width of the maneuvering space must be as wide as the door plus an additional 18 inches on the latch side. This latch side clearance must also be flat (2% max. slope in any direction) and clear of obstructions.

2010 ADAS Section 404.2.4.1

Swinging doors and gates shall have maneuvering clearances complying with Table 404.2.4.1.

Citation:

2010 ADAS Section: 404.2.4.1

Budgeting Range:

\$2,500 - \$6,500.00

As Built:

N/A

Recommendation:

This station has the Office for the Fire Department Chief. The building is secure, and people are escorted into the building. Where a new Public Safety Building is under construction, I would suggest no action be taken until a determination for the use of the space is made.

Barrier Priority:

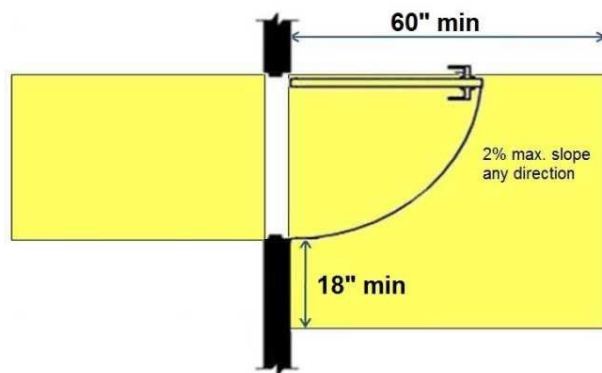
N/A

Estimated Remediation Date:

N/A

Notes:

N/A



Building Interior: Bathrooms
Lat/Long: [42.07066, -71.0443]
BFID: 829581 - Bathrooms

The restroom is not nearly compliant.

The bathroom door does not provide a thirty-two (32) inch opening. The door hardware is a doorknob. Space within the existing bathrooms does not provide enough space to provide a bathroom that would comply with ADA standards.

2010 ADAS Section 213.2

Where toilet rooms are provided, each toilet room shall comply with 603. Where bathing rooms are provided, each bathing room shall comply with 603.

Citation:

2010 ADAS Section: 213.2

Budgeting Range:

\$20,000 - \$30,000.00

As Built:

Bathrooms do not provide a wide enough door to enter the bathroom. The interior of the bathroom does not allow for proper maneuvering space to make existing bathrooms compliant with ADA without extensive renovations.

Recommendation:

Where a new Public Safety Building is under construction, I would suggest no action be taken until a determination for the use of the space is made. If space will be used for something more than storage and utility space, then the existing bathrooms should be renovated to provide one (1) accessible single user bathroom.

Barrier Priority:

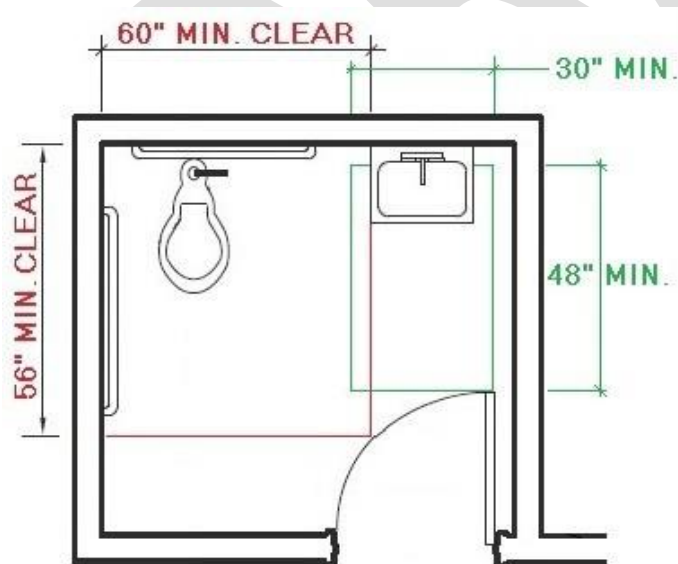
N/A

Estimated Remediation Date:

N/A

Notes:

N/A



Fire Station 7 – Cary Hill - 605 North Cary Street

Fire Station 7 was constructed in 1977. No programs or services outside of being a fire station are provided at this time. While the building does not comply with the ADA no action is required at this time.



Fire Station 7 Cary Hill, 605 N. Cary Street, Brockton, MA 02302
Inspection Date: June 23, 2023
Inspector: Mark Dempsey

Parking: Accessible Parking
Lat/Long: [42.10635, -71.00414]
BFID: 829603 - Accessible Parking

There are no accessible parking stalls.

Each lot where parking is provided for the public as clients, guests, or employees, shall provide accessible parking and shall be located on the shortest accessible route of travel from adjacent vehicle parking to an accessible entrance.

2010 ADAS Section 208.2

Parking spaces complying with 502 shall be provided in accordance with Table 208.2 except as required by 208.2.1, 208.2.2, and 208.2.3. Where more than one parking facility is provided on a site, the number of accessible spaces provided on the site shall be calculated according to the number of spaces required for each parking facility.

Citation:

2010 ADAS Section: 208.2

As Built:

Small, paved parking lot for fire department employees.

Budgeting Range:

\$1,500 - \$9,500.00

Recommendation:

No public programs or services beyond the services of the fire station are offered at this location. Take no action at this time.

Barrier Priority:

Low (4): Should be completed as soon as possible due to being a technical violation but may not result in providing greater access to persons with disabilities. (Includes: Findings that are technically violations but provide a moderate to low increase in accessibility compared to the financial impact on the entity)

Estimated Remediation Date:

N/A

Notes:

N/A

Total Number of Parking Spaces Provided in Parking Facility	Minimum Number of Required Accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent total
1001 and over	10, plus 1 each 100, or fraction thereof, over 1000

Entrance: Pull side clearance at door

Lat/Long: [42.10635, -71.00414]

BFID: 829604 - Maneuvering clearance on the exterior pull side of the door.

The maneuvering clearance on the pull side of the door does not extend a minimum of 18 inches on the latch side.

Doors with a front approach must have a landing on the pull side that is a minimum of 60 inches in depth perpendicular to the door in a close position with a minimum width dimension of 18 inches plus the door width. An additional 18 inches must extend past the door on the latch side. The entire landing must be free of obstructions and must be flat (2% max. slope is considered flat in any direction).

2010 ADAS Section 404.2.4.1

Swinging doors and gates shall have maneuvering clearances complying with Table 404.2.4.1.

Citation:

2010 ADAS Section: 404.2.4.1

As Built:

The door is located in a recess not allowing eighteen (18) inches on the latch pull side of the door

Budgeting Range:

\$2,500 - \$6,500.00

Recommendation:

Take no action. The building is for the use of the fire department staff at this station. No public programs or services are provided outside of the role of the fire department.

Barrier Priority:

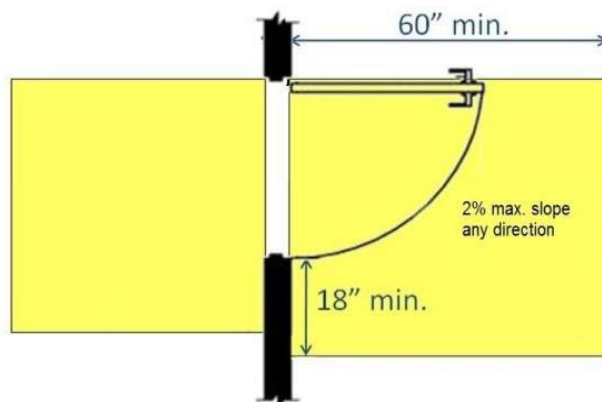
Low (4): Should be completed as soon as possible due to being a technical violation but may not result in providing greater access to persons with disabilities. (Includes: Findings that are technical violations but provide a moderate to low increase in accessibility compared to the financial impact on the entity)

Estimated Remediation Date:

N/A

Notes:

N/A



Bathroom: Accessibility

Lat/Long: [42.10635, -71.00414]

BFID: 829605 - Not Accessible

The restroom is not nearly compliant.

2010 ADAS Section 213.2

Where toilet rooms are provided, each toilet room shall comply with 603. Where bathing rooms are provided, each bathing room shall comply with 603.

Citation:

2010 ADAS Section: 213.2

As Built:

Bathrooms are not accessible

Budgeting Range:

\$1,500 - \$8,500.00

Recommendation:

Take no action. The building is for the use of the fire department staff at this station. No public programs or services are provided outside of the role of the fire department.

Barrier Priority:

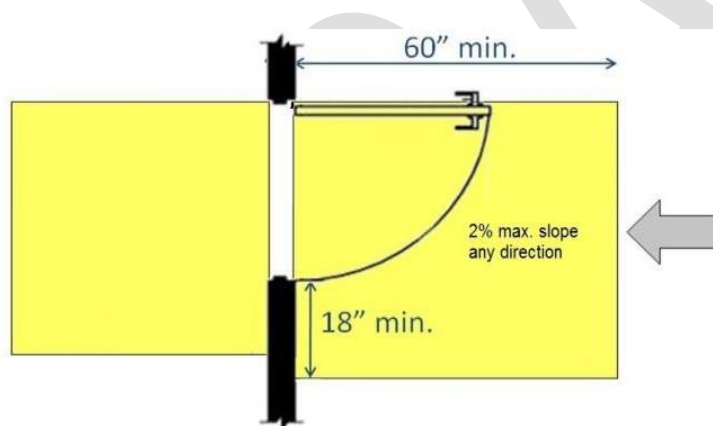
Low (4): Should be completed as soon as possible due to being a technical violation but may not result in providing greater access to persons with disabilities. (Includes: Findings that are technical violations but provide a moderate to low increase in accessibility compared to the financial impact on the entity)

Estimated Remediation Date:

N/A

Notes:

N/A



Facilities under construction

Police / Fire Headquarters

Council on Aging/Senior Center

7.0 ADA Self Evaluation and Transition Plan for Sidewalks and Curb Ramps



Date: June 23, 2023 Rev. 7/12/23 Job No.: 23.10962.01
To: Jennifer Thompson
Cc: Blythe Robinson
From: Jack Madden
Subject: Brockton MA ADA Self Evaluation and Transition Plan Sidewalks and Curb Ramps

PART 1 – ADA SELF EVALUATION

1.0 ABOUT THIS SELF-EVALUATION

The development of this Self Evaluation and Transition Plan is intended to assist the City of Brockton to be able to understand its pedestrian assets within the public right of way, and to systematically improve accessibility within its transportation network. Improvements targeted through this plan focus on those which will benefit the mobility of the disabled and to improve access according to the requirements of Title II of the Americans with Disabilities Act (ADA).

Actions to implement compliance as required will solely be at the discretion of the City and will be achieved based on available and allocated funding and feasibility of construction, among other criteria. It is the responsibility of the designers, engineers, and contractors that perform the work of such projects to ensure that the constructed end results meet all applicable accessible statutes and standards.

1.1 METHODOLOGY (PUBLIC RIGHTS-OF-WAY)

1.1.1 OUTLINE

Through the initial planning stages, meetings were held with the City of Brockton and the Director of Public Works to align goals and set strategic milestones for the project. The overall outline for the development of the Self-Evaluation follows these five key actions:

1. Develop base mapping of the City
2. Identify and Classify Priority Locations (A, B, C, or D)
3. Incorporate existing sidewalk inventory and condition assessment (by others)
4. Conduct desktop inventory of curb ramps
5. Assess curb ramps for preliminary ADA compliance criteria
6. Analyze Data and Generate Reports for Planning Purposes
7. Produce Maps from Existing Conditions
8. Discussion of Findings and Provide Recommendations

1.1.2 ASSESSMENT APPROACH

Creating a system that prioritizes key areas is vital for future planning and scheduling repairs. Therefore, to maximize efficiency, a tiered approach is utilized to classify specific locations that generate relatively high volumes of pedestrian traffic.

The City has confirmed the following priority areas and buffer limits:

Tier A: Schools, including a 1,000 ft. buffer

Tier B: General Business Districts, including a ½ mile buffer

Tier C: Municipal Area (City Hall and other government services, Council on Aging, Library, Parks, Commuter Rail, Bus Stops) including a 1,000 ft. buffer

Tier D: Remaining Areas within City boundaries outside of A, B, C areas

GIS analyses provide tools to calculate density of these specific locations and respective tiers. The tools utilized enable an estimation of the likelihood of pedestrian usage between the given locations and provide values, similar to a heatmap, where a ranking can be assigned to assets as a means to prioritize repairs.

1.2 DATA COLLECTION AND INVENTORY

1.2.1 GIS BASE MAPPING

Following industry standards, a program has been developed utilizing geographic information systems (GIS) that includes a spatially located condition assessment of curb ramps and sidewalks. The database is structured to facilitate the development of an enhanced ADA Program for the City.

GIS base mapping used for this Project includes the following data layers for reference:

- Existing Road Centerline
- Buildings
- Parcels
- 2020 MassGIS Orthophotography

The availability of this base mapping allows the field inspection team to use a GIS-based data collection approach.

1.2.2 SIDEWALKS

Sidewalk data was provided by the City and included the following:

Defining Characteristics

- Sidewalk Location (Street Name, Odd/Even side)
- Material (Concrete, Bituminous, Other)
- Average Sidewalk Width
- Length (Feet, Miles)

Condition Assessment

- Sidewalk Condition (SCI - 100 point basis)

For the purposes of this ADA Self Evaluation and Transition Plan, the SCI scoring provided by the City was converted into the following condition results:

0-50 = **“Poor”** – severe deterioration, poor surface stability

51-80 = **“Fair”** – moderate surface deficiencies, local repairs needed on less than 50% of segment

81- 100 = **“Good”** – minor deficiencies, local repairs needed on less than 10% of segment

1.2.3 CURB RAMPS

In the June 2023, a desktop inventory using high-resolution orthophotography and “street view” tools was created to locate curb ramps as GIS point features 2,266 existing ramps were located along sidewalk segments provided by the City. Each curb ramp was assessed for preliminary ADA compliance based on curb ramp material and the presence of a detectable warning panel. Concrete curb ramps with detectable warning panels (681 existing ramps) were identified for future field assessment at the discretion of the City. For the purposes of this SETP document all 2,266 ramps were identified as “non-compliant” pending further information.

The attributes assigned/collected for each curb ramp include:

Desktop Inventory Attributes

Location

- Curb Ramp ID (#)
- Curb Ramp Location (Street Name, Intersecting Streets)

Material

- Material (Concrete, Bituminous, Other)

Preliminary ADA Compliance

- Detectable Warning Panel (yes/no)

1.3 ASSESSMENT

1.3.1 INITIAL SIDEWALK FINDINGS

Based on a review of the inventory data, a baseline of 153.36 miles of sidewalk line features was created. Of the 153.36 miles, the majority was asphalt (103.03 mi.) followed by concrete (50.33 mi.).

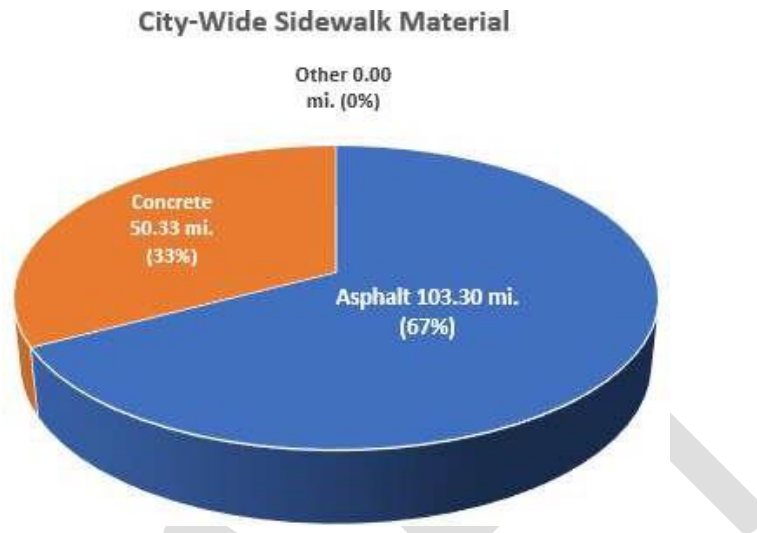


Figure 1.3.1: City-wide inventory of sidewalk by material

1.3.2 SIDEWALK CONDITION ASSESSMENT

The majority of sidewalks in Brockton, or 70.92 mi. (46%), were rated in **"Fair"** condition, while 63.23 mi. (41%) were rated **"Good"**, and 19.22 mi. (13%) were rated **"Poor"**.

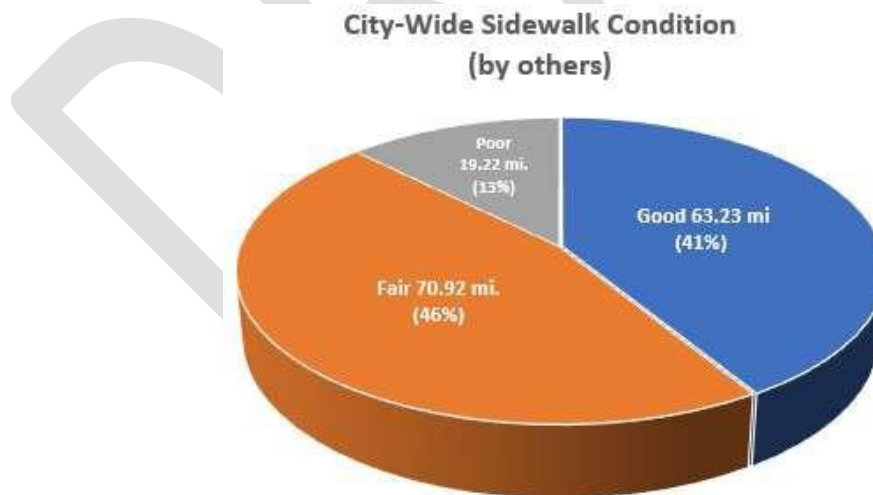


Figure 1.3.2: City-wide assessment of sidewalk condition

- Sidewalks considered in **“Good”** condition displayed minor surface blemishes with no physical distresses (Less than 10% of segment requires repair/replacement).
- Sidewalks considered in **“Fair”** condition displayed some physical distresses (10% - 50% of segment requires repair/replacement).
- Sidewalks considered to be in **“Poor”** condition displayed physical distresses affecting accessibility (50%-100% of segment requires repair/replacement).

1.3.3 INITIAL CURB RAMP FINDINGS

Based on a review of the desktop inventory data, a baseline of **2,266 curb** ramps was established. 681 ramps curb ramps were identified as having a concrete surface with a detectable warning panel which qualified as passing the preliminary compliance assessment. These ramps are recommended for further condition and ADA compliance assessment at a future time and at the City’s discretion.

**City-Wide Curb Ramp ADA Compliance
(Preliminary)**

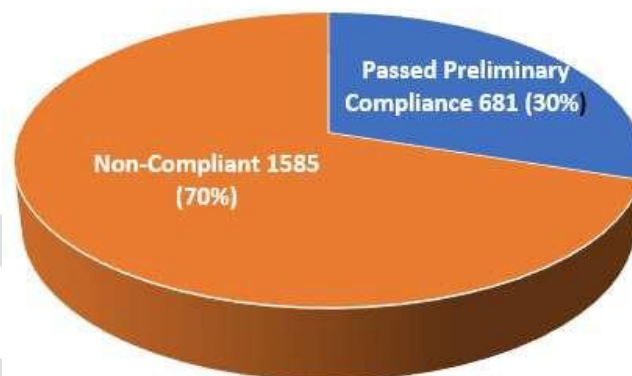


Figure 1.8.4: City-wide inventory of curb-ramp preliminary compliance

1.3.4 CURB RAMP COMPLIANCE ASSESSMENT

Due to the limited criteria available to determine ADA compliance, all 2,266 ramps in the City-wide inventory are considered ‘non-compliant’ and are recommended for remediation.

The 681 ramps that were identified as concrete ramps with detectable warning panels should be further reviewed for compliance based several criteria;

- General condition,
- Properly installed detectable warning panel
- Dimensions (ramps, landings) (inches)
- Slope measurements (ramps, landings) (%)
- Visible obstructions (catch basins, curbing, hydrants, etc.)
- Changes in level within the accessible route

PART 2 - SECTION 504 TRANSITION PLAN

2.1 PROPOSED IMPROVEMENTS

It is assumed that the reconstruction and rehabilitation of sidewalks and curb ramps will follow current MassDOT standards and specifications including:

- Commonwealth of Massachusetts Department of Transportation Standard Specifications for Highways and Bridges (2020).
- Massachusetts Department of Transportation Construction Standard Details, Highway Division (October 2017)
- Notes on Walks and Wheelchair Ramps for Designers and Construction Engineers (March 2012)

Unit costs for each treatment were developed using standard MassDOT items and the most recent bid pricing provided by MassDOT. All Cost Estimates include a 15% general contingency as well as a 25% construction contingency.

The following improvement types were considered for this planning study:

- Sidewalk reconstruction, concrete
- Sidewalk reconstruction, bituminous asphalt
- Curb ramp reconstruction at existing location
- Curb ramp retrofit at existing location

Improvement Type	Unit Cost	Unit of Measure
Sidewalk Reconstruction - Concrete	\$ 560,000	/Mi.
Sidewalk Reconstruction - Bituminous	\$ 375,000	/Mi.
Curb Ramp Replacement or New Construction	\$ 8,200	/EA
Curb Ramp Retrofit	\$ 1,100	/EA

Table 2.1.1 Unit Cost Summary – Sidewalk/Curb Ramp Improvements

For all existing curb ramp reconstruction and as well as for new sidewalk and curb ramp construction, an additional 20% is recommended to account for the cost of design as needed.

2.2 PRIORITIZATION

2.2.1 SIDEWALK PRIORITIZATION

Sidewalk repair and replacement can be scheduled based on the priority assessment described in Table 2.2.1. The priority assignment for each sidewalk segment is based on condition and location relative to high pedestrian activity as described in Section 1.6.2. Sidewalk repairs and reconstruction should be coordinated with roadway/curb ramp repair program wherever possible.

Condition/ Tier	Sidewalks - Asphalt	Sidewalks - Concrete/ Other Materials	Total Sidewalks	Estimated Total Cost
2023 Status	103.03	50.34	153.37	\$46,852,010
Priority 1 - ("Poor" Condition) - Requires 100% Replacement				
1A	3.97	1.02	4.99	\$2,059,950
1B	3.39	0.74	4.13	\$1,685,650
1C	5.81	0.89	6.70	\$2,677,150
1D	3.40	0.00	3.40	\$1,275,000
Total	16.57	2.65	19.22	\$7,697,750
Priority 2 - ("Fair" Condition) - Requires 50% Replacement				
2A	15.57	7.56	23.13	\$7,955,550
2B	8.32	5.20	13.52	\$4,576,000
2C	22.55	5.24	27.79	\$9,923,450
2D	6.35	0.13	6.48	\$2,417,650
Total	52.79	18.13	70.92	\$24,872,650
Priority 3 ("Good" Condition) - Requires 10% Replacement				
3A	10.09	13.42	23.51	\$4,535,270
3B	5.28	5.01	10.29	\$2,260,560
3C	12.87	10.81	23.68	\$5,431,610
3D	5.43	0.32	5.75	\$2,054,170
Total	33.67	29.56	63.23	\$14,281,610
Total				
¹Total	103.03	50.34	153.37	\$46,852,010

Notes:

¹ Sidewalk reconstruction is priced at \$375k per mile (asphalt) and \$560k per mile (concrete) based on a width of 5 feet. Pricing includes replacement in-kind and does not include curbing.

² Estimated construction costs are based on MassDOT standard items and weighted average unit costs updated January 2023.

Table 2.2.1 Transition Plan Summary – Sidewalk Improvements by Priority Phasing Strategy

Priority Phase Sorted by Existing Condition: 1-Poor, 2-Fair, 3-Good) and
Priority Tier: A, B, C, D (See Section 6.2 for Tier Breakdown)

2.2.2 CURB RAMP PRIORITIZATION

Curb ramp repair and replacement can be scheduled based on the priority assessment described in Table 2.2.2. The priority assignment for each non-compliant curb ramp location is based on condition and location relative to high pedestrian activity as described in Section 1.6.2. Curb ramp repairs can be coordinated with the City's roadway/sidewalk repair program.

Tier	Curb Ramps (w/o DWP)	Curb Ramps (w/ DWP)	Curb Ramps Total	Curb Ramps Total
2023 Status	1,585	681		18,581,200
Tier A - Schools (1,000 Feet)				
Total	503	190	693	\$ 5,682,600
Tier B - General Business District (1/2 Mile)				
Total	349	164	513	\$ 4,206,600
Tier C - Municipal Services (1,000 Feet)				
Total	659	249	908	\$ 7,445,600
Tier D - Remaining Areas Within Town				
Total	74	78	152	\$ 1,246,400
Total				
Total	1,585	681	2,266	18,581,200

Notes:

1. Estimated construction costs are based on MassDOT standard items and weighted average unit costs updated January 2023.
2. Existing ramp reconstruction are estimated at \$8200/location

Table 2.2.2 Transition Plan Summary –Curb Ramp Improvements by Priority Tier
Priority Phase Sorted by Existing Condition: 1-Poor, 2-Fair, 3-Good) and
Priority Tier: A, B, C, D (See Section 6.2 for Tier Breakdown)

2.3 ANNUAL BUDGET REQUIRED FOR 100% REMEDIATION

In order to remediate “poor” condition sidewalks and non-compliant curb ramps City wide over a reasonable period of time the City would need to allocate considerably more than they have during recent years. A budget and a schedule of improvements have been developed to how the City might approach a plan for 100% remediation of ADA deficiencies over a reasonable period of time.

2.3.1 REQUIRED SCHEDULE OF IMPROVEMENTS FOR 100% REMEDIATION

Figure 2.3.1 shows a 25-year schedule of improvements for remediating 100% of poor condition sidewalks and non-compliant curb ramps. The schedule requires reconstruction of approximately 0.8 miles of sidewalk and 91 curb ramps annually at an annual cost of **\$1.05M** over the next 25 years. This scenario would replace the 19.22 miles of poor condition sidewalk and 2,266 non-compliant curb ramps for a total cost of **\$26.3M**.

Annual Budget Scenario Required	Annual Budget Required- Sidewalks		Annual Budget Required - Curb Ramps		25 Year Cost/Benefit Combined	
	Miles of Sidewalk	Estimated Construction Cost	Number of Ramps	Estimated Construction Cost	Total Spending (2023 Dollars)	% of Overall Non-Compliant Backlog
\$ 1,052,000	0.77	\$ 308,000	91	\$ 744,000	\$ 26,279,200	100%

Table 2.3.1 25 Year/\$374K sidewalk budget required for full remediation

Tables 2.3.2 and 2.3.3 show the required 25-year schedule of improvements for remediating deficient sidewalks and curb ramps.

This proposed schedule represents the City’s aspiration of improving sidewalk conditions within its Public Right of Way. This budget scenario represents **52%** of the City annual roadway budget (\$2,040,000) and would be an unsustainable and unrealistic goal. While discretionary funding and grant awards may allow these annual goals on some years, there will be years when those funds may not be available.

2.3.2 REQUIRED SIDEWALK IMPROVEMENTS SCHEDULE FOR 100% REMEDIATION

Baseline	Poor-Condition Sidewalks to be Reconstructed/Added New (mi)	Annual Budget Required (2023 Dollars) ¹	Estimated Total Construction Cost (2023 Dollars)
2023 Status	19.22	\$ 308,000	\$ 7,698,000
Program Year	Sidewalks to be Reconstructed/Added New Annually (mi)	Poor Condition Sidewalks Remaining Town Wide (mi)	Estimated Annual Budget Required ^{2,3}
2023	0.77	18.45	\$ 307,910
2024	0.77	17.68	\$ 323,306
2025	0.77	16.91	\$ 339,471
2026	0.77	16.14	\$ 356,444
2027	0.77	15.38	\$ 374,267
2028	0.77	14.61	\$ 392,980
2029	0.77	13.84	\$ 412,629
2030	0.77	13.07	\$ 433,260
2031	0.77	12.30	\$ 454,923
2032	0.77	11.53	\$ 477,669
2033	0.77	10.76	\$ 501,553
2034	0.77	9.99	\$ 526,631
2035	0.77	9.23	\$ 552,962
2036	0.77	8.46	\$ 580,610
2037	0.77	7.69	\$ 609,641
2038	0.77	6.92	\$ 640,123
2039	0.77	6.15	\$ 672,129
2040	0.77	5.38	\$ 705,735
2041	0.77	4.61	\$ 741,022
2042	0.77	3.84	\$ 778,073
2043	0.77	3.08	\$ 816,977
2044	0.77	2.31	\$ 857,826
2045	0.77	1.54	\$ 900,717
2046	0.77	0.77	\$ 945,753
2047	0.77	0.00	\$ 993,041
TOTAL	19.22		\$ 14,695,651

Notes:

1. Construction cost estimate is for planning purposes only and addresses 100% of poor condition sidewalks in priority category 1A
2. Estimate based on weighted average unit cost for standard MassDOT items required for 5'-wide sidewalk in-kind replacement/reconstruction = \$406,500/mile.
3. Annual budget values assume 5% annual growth of construction cost.

Figure 2.3.2: 25-year Schedule of Sidewalk Improvements to remediate 100% of deficiencies.

2.3.3 REQUIRED CURB RAMP IMPROVEMENTS SCHEDULE FOR 100% REMEDIATION

Baseline	Non-Compliant Ramps to be Replaced/Added New (each)	Annual Budget Required (2023 Dollars)	Estimated Total Construction Cost (2023 Dollars)
2023 Status	2,266	\$ 744,000	\$ 18,581,200
Program Year	Non-Compliant Ramps to be Replaced Annually (each)	Non-Compliant Ramps Remaining (each)	Estimated Annual Budget Required ³
2023	91	2175	\$ 746,200
2024	91	2084	\$ 783,510
2025	91	1993	\$ 822,686
2026	91	1902	\$ 863,820
2027	91	1811	\$ 907,011
2028	91	1720	\$ 952,361
2029	91	1629	\$ 999,979
2030	91	1538	\$ 1,049,978
2031	91	1447	\$ 1,102,477
2032	91	1356	\$ 1,157,601
2033	91	1265	\$ 1,215,481
2034	91	1174	\$ 1,276,255
2035	91	1083	\$ 1,340,068
2036	91	992	\$ 1,407,071
2037	91	901	\$ 1,477,425
2038	91	810	\$ 1,551,296
2039	91	719	\$ 1,628,861
2040	91	628	\$ 1,710,304
2041	91	537	\$ 1,795,819
2042	91	446	\$ 1,885,610
2043	91	355	\$ 1,979,891
2044	91	264	\$ 2,078,885
2045	91	173	\$ 2,182,830
2046	91	82	\$ 2,291,971
2047	82	0	\$ 2,406,570
TOTAL	2266		\$ 35,613,961

Notes:

1. Construction cost estimate is for planning purposes only and addresses 56% of deficient curb ramps in priority categories 1A, 1B, 1C
2. Estimate based on weighted average unit cost for standard MassDOT items required for curb ramp replacement/reconstruction = \$5000/ea.
3. Annual budget values assume 5% annual growth of construction cost.

Figure 2.3.3: Proposed 25-year schedule of curb ramp Improvements to remediate 100% of deficiencies

2.4 PROPOSED BUDGET

The Federal Highway Administration (FHWA) guidelines recommend a sidewalk budget that represents 20% of a municipality's overall roadway budget. For Brockton, 20% of its annual Chapter90 allocation (\$2.04M) is \$408,000. Table 2.4.1 shows how the proposed annual sidewalk budget of \$400,000 may be applied annually to remediate poor condition sidewalks and non-compliant curb ramps in priority areas.

Proposed Annual Budget Scenario	Proposed Annual Budget - Sidewalks		Proposed Annual Budget - Curb Ramps		Ten Year Cost/Benefit Combined	
	Miles of Sidewalk	Estimated Construction Cost	Number of Ramps	Estimated Construction Cost	Total Spending (2023 Dollars)	% of Overall Non-Compliant Backlog
\$ 400,000	0.37	\$ 150,000	31	\$ 250,000	\$ 10,000,000	38%

Table 2.4.1 25 Year/\$150K sidewalk budget is proposed by the City

The proposed budget would allow the City to replace "poor" condition sidewalk segments in Priority Areas A, B, and C for a total of 9.4 miles of sidewalk and replace 775 curb ramps. Overall, this schedule represents **38%** of the total backlog of deficiencies.

This proposed schedule represents the City's good-faith effort to improve sidewalk conditions within its Public Right of Way where reasonably possible and when funding is available. Additional funds may be added from discretionary sources including grant awards and unknown future program allocations.

2.5 PROJECT FUNDING

The City anticipates committing approximately **\$10M** to implement sidewalk and curb ramp improvements over the next 25 years. The resulting annual \$400,000 sidewalk/curb ramp budget represents a reasonable estimate of the City's future sidewalk improvement allocation and is based on currently available funds. The City can replace additional mileage of sidewalk and non-compliant curb ramps with specific projects funded from various sources. Table 2.5.1 summarizes the potential sources of funding for sidewalks.

The City of Brockton is committed to meeting ADA compliance requirements while making progress in improving its pedestrian facilities as funding allows. All improvements made to remediate ADA compliance issues with sidewalks and curb ramps can be credited to the Transition Plan Schedules above regardless of the funding source.

Roadway resurfacing and other improvements within the right of way are considered alterations and may require accessibility remediation within the project area. Coordinating the sidewalk improvement

schedule with the pavement improvement schedule can be an efficient way to leverage funding for meeting compliance goals.

Sidewalks and Curb Ramps	
Funding Source	Potential Funding (\$\$)
Chapter 90	\$ 400,000
Local Funds	\$ -
Complete Streets	\$ -
State ADA Grant	\$ -
State TIP, Utilities, etc.	\$ -
Anticipated Total	\$ 400,000

Table 2.5.1 Potential Sidewalk Funding Sources

Appendix A Public Notice

The City shall provide notice to the public regarding the ADA's requirements for nondiscrimination and the City's ongoing efforts to achieve compliance. The posting should describe how the public or employees may contact specific city officials about problems with accessibility and the need for effective communication.

A sample public notification is here:

The City of Brockton does not discriminate on the basis of disability and is committed to the full participation of persons with disabilities in our programs, services, and activities and on our workforce.

The following person is responsible for coordinating the Agency's compliance with the Americans with Disabilities Act. Inquiries, complaints and requests for communications aids and other accommodations and assistance should be directed to:

*Name,
Title*

*45 School Street
Brockton, MA 02056
Email: insert address
Phone: (xxx) xxx-xxxx*

Copies of this notice are available in large print, audiotape, Braille, and on computer disk. The City of Brockton's ADA grievance procedure, self-evaluation, policies, and procedures are also available on request.

Appendix B

Reasonable Accommodation Policy

City of Brockton Reasonable Accommodation Policy

The City of Brockton is committed to providing equal employment opportunity to all qualified individuals with disabilities in accordance with federal and state law.

Both the **Americans with Disability Act (ADA)** and **Chapter 151B of the Massachusetts General Laws (MGL Chapter 151B)** prohibit employment discrimination against qualified individuals with a disability. An “individual with a disability” is someone: (1) with a mental or physical impairment that limits one or more major life activities; or (2) has a history of such an impairment; or (3) is perceived (even if erroneously) as having such an impairment.

A “qualified individual with a disability” refers to individuals with a disability who: (1) Satisfy the general skill, experience, education and other job-related requirements, and (2) Can perform the essential functions of the job with or without reasonable accommodation.

“Reasonable accommodation” refers to an employment-related modification that an employer must make in order to ensure equal opportunity for an individual with a disability to (1) apply for and test for a job; (2) perform essential job functions; and (3) receive the same benefits and privileges as other employees. The City is only required to provide a reasonable accommodation to individuals with known disabilities (i.e., if the applicant or employee informs the employer of the disability, or if the disability is obvious). Moreover, the City is not required to provide a reasonable accommodation if that accommodation will cause “undue hardship” (e.g., financial or administrative) to the City.

An accommodation may prove to be an “undue hardship” when its implementation would result in “significant difficulty or expense to the City. Factors that the City will use in making this determination include: (1) the nature and cost of the accommodation itself; (2) the impact of the accommodation on the operation of the department(s) involved, taking into account the overall resources and the number of its employees; and (3) the manner in which the City’s services and programs operate, taking into account its size and financial resources.

The City cannot and will not inquire whether a job applicant has a disability or the extent to which s/he is disabled. The City may ask whether the applicant is able to perform job-related functions, but not questions intended to determine whether or not the person has a disability. In addition, the City cannot and will not ask an applicant to take a medical exam prior to making an offer of employment.

Any job applicant or current employee seeking a reasonable accommodation may contact the Human Resources Department to begin the process.

Appendix C

SAMPLE GRIEVANCE PROCEDURE

Long Version

Americans with Disabilities Act Grievance Procedure This grievance procedure is established to meet the requirements of the ADA. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the (Name of Public Entity).

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number, email address 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 as soon as possible, preferably within 60 calendar days of the alleged violation to:

(ADA Coordinator name and contact information).

Within 15 calendar days after receipt of the complaint, (name of ADA Coordinator) will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, (name of ADA Coordinator) will respond in writing, and where appropriate, in format that is accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the (Name of Public Entity) and offer options for substantive resolution of the complaint.

If the response by (name of ADA Coordinator) does not satisfactorily resolve the issue, the complainant may appeal the decision within 15 calendar days after receipt of the response to the (Head of Public Entity) or designee. Within 15 calendar days after receipt of the appeal, the (Head of the Public Entity) or designee will meet with the complainant to discuss the complaint and possible resolutions.

Within 15 calendar days after the meeting, the (Head of the Public Entity) or designee will respond in writing, and, where appropriate, in a format that is accessible to the complainant, with a final resolution of the complaint.

Short Version

Complaints concerning discrimination on the basis of disability by the (Name of Public Entity) may be sent to (ADA Coordinator name and contact information). (Name of ADA Coordinator) will contact the complaint within 15 calendar days after receipt of the complaint to discuss the complaint and will respond in writing within 15 days of the discussion.