

SETTLEMENT AGREEMENT BETWEEN
THE UNITED STATES OF AMERICA
AND
WASHINGTON COUNTY, UTAH
UNDER THE AMERICANS WITH DISABILITIES ACT
DJ 204-77-63

BACKGROUND

SCOPE OF THE INVESTIGATION

The United States Department of Justice (Department) initiated this matter as a compliance review of Washington County, Utah (County) under title II of the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. §§ 12131-12134, and the Department's implementing regulation, 28 C.F.R. Part 35. Because the County receives financial assistance from the Department of Justice, the review was also conducted under the authority of section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and the Department's implementing regulation, 28 C.F.R. Part 42, Subpart G.

The review was conducted by the Disability Rights Section of the Department's Civil Rights Division and focused on the County's compliance with the following title II requirements:

- to conduct a self-evaluation of its services, policies, and practices by July 26, 1992, and make modifications necessary to comply with the Department's title II regulation, 28 C.F.R. § 35.105;
- to notify applicants, participants, beneficiaries, and other interested persons of their rights and the County's obligations under title II and the Department's regulation, 28 C.F.R. § 35.106;
- to designate a responsible employee to coordinate its efforts to comply with and carry out the County's ADA responsibilities, 28 C.F.R. § 35.107(a);
- to establish a grievance procedure for resolving complaints of violations of title II, 28 C.F.R. § 35.107(b);
- to operate each program, service, or activity so that, when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities, 28 C.F.R. § 35.150, by:
 - delivery of services, programs, or activities in alternate ways, including, for example, redesign of equipment, reassignment of services, assignment of aides, home visits, or other methods of compliance or, if these methods are not effective in making the programs accessible,
 - physical changes to buildings (required to have been made by January 26, 1995), in accordance with the Department's title II regulation, 28 C.F.R. § 35.151, and the ADA Standards for Accessible Design (Standards), 28 C.F.R. pt. 36, App. A, or the Uniform

Federal Accessibility Standards (UFAS), 41 C.F.R. § 101-19.6, App. A.

- to ensure that facilities for which construction or alteration was begun after January 26, 1992, are readily accessible to and usable by people with disabilities, in accordance with 1) the Department's title II regulation and 2) the Standards or UFAS, 28 C.F.R. § 35.151;
- to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others, including furnishing auxiliary aids and services when necessary, 28 C.F.R. § 35.160;
- to provide information for interested persons with disabilities concerning the existence and location of the County's accessible services, activities, and facilities, 28 C.F.R. § 35.163(a); and
- to provide signage at all inaccessible entrances to each of its facilities, directing users to an accessible entrance or to information about accessible facilities, 28 C.F.R. § 35.163(b).

As part of its compliance review, the Department reviewed the following facilities, which – because construction or alterations commenced after January 26, 1992 – must comply with the ADA's new construction or alterations requirements: Enterprise Public Library, Hurricane Public Library, Santa Clara Library, Enterprise Senior Citizens Center, Habitat Conservation Plan facility, Purgatory Correctional Facility, Justice Court, Dixie Center, Regional Park, St. George Senior Citizen Center, Administration Building, Recorder's Office, and Assessor's Office.

The Department's program access review covered those of the County's programs, services, and activities that operate in the following facilities: Washington County Library, County Attorney's Office, and Hurricane Sr. Citizen Center.

The Department conducted a program access review of the following polling places: La Verkin City Office, Burns Arena, Santa Clara City facility, Santa Clara Elementary School, Sunset Elementary School, Enterprise City Office, Desert Hills Elementary School, and Washington County Elementary School. This review was limited to the areas of the facilities used by the voting public: parking, the route from the parking area to the area used for voting, and the area used for voting.

The Department reviewed the County's policies and procedures regarding voting, emergency management and disaster prevention, and sidewalk maintenance to evaluate whether persons with disabilities have an equal opportunity to utilize these programs.

Finally, the Department reviewed the County Sheriff Department's policies and procedures regarding providing effective communication to persons who are deaf or hard-of-hearing.

JURISDICTION

1. The ADA applies to the County because it is a "public entity" as defined by title II. 42 U.S.C. § 12131(1).

2. The Department is authorized under 28 C.F.R. Part 35, Subpart F, to determine the compliance of the County with title II of the ADA and the Department's title II implementing regulation, to issue findings, and, where appropriate, to negotiate and secure voluntary compliance agreements. Furthermore, the Attorney General is authorized, under 42 U.S.C. § 12133, to bring a civil action enforcing title II of the ADA should the Department fail to secure voluntary compliance pursuant to Subpart F.

3. The Department is authorized under 28 C.F.R. Part 42, Subpart G, to determine the County's compliance with section 504 of the Rehabilitation Act of 1973, to issue findings, and, where appropriate, to negotiate and secure voluntary compliance agreements. Furthermore, the Attorney General is authorized, under 29 U.S.C. § 794 and 28 C.F.R. §§ 42.530 and 42.108-110, to suspend or terminate

financial assistance to the County provided by the Department of Justice should the Department fail to secure voluntary compliance pursuant to Subpart G or to bring a civil suit to enforce the rights of the United States under applicable federal, state, or local law.

4. The parties to this Agreement are the United States of America and Washington County, Utah.

5. In order to avoid the burdens and expenses of an investigation and possible litigation, the parties enter into this Agreement.

6. In consideration of, and consistent with, the terms of this Agreement, the Attorney General agrees to refrain from filing a civil suit in this matter regarding all matters contained within this Agreement, except as provided in the section entitled "Implementation and Enforcement."

ACTIONS TAKEN BY THE COUNTY

7. ADA Coordinator

Washington County has designated an ADA coordinator to oversee compliance with ADA requirements relative to building and program accessibility.

8. Self Evaluation

Washington County has completed a self-evaluation of all county facilities to determine those that are in need of upgrade or correction.

9. Transition Plan

Washington County has received a grant in the amount of \$16,000 matching County money to aid in the improvement of parking facilities and building accessibility in locations where polling places did not meet the ADA standard. This money will bring many, if not all, polling places into compliance.

REMEDIAL ACTION

NOTIFICATION

10. Within three months of the effective date of this Agreement, the County will adopt the attached Notice ([Attachment A](#)); distribute it to all agency heads; publish the Notice in a local newspaper of general circulation serving the County; post the Notice on its Internet Home Page; and post copies in conspicuous locations in its public buildings. It will refresh the posted copies, and update the contact information contained on the Notice, as necessary, for the life of this Agreement. Copies will also be provided to any person upon request.

11. Within three months of the effective date of this Agreement, and on yearly anniversaries of this Agreement until it expires, the County will implement and report to the Department its written procedures for providing information for interested persons with disabilities concerning the existence and location of the County's accessible programs, services, and activities.

GRIEVANCE PROCEDURE

12. Within three months of the effective date of this Agreement, the County will adopt the attached ADA Grievance Procedure ([Attachment B](#)), distribute it to all agency heads, and post copies of it in conspicuous locations in each of its public buildings. It will refresh the posted copies, and update the contact information contained on it, as necessary, for the life of the Agreement. Copies will also be

provided to any person upon request.

GENERAL EFFECTIVE COMMUNICATION PROVISIONS

13. Within three months of the effective date of this Agreement, the County will identify sources of qualified sign language and oral interpreters, real-time transcription services, and vendors that can put documents in Braille, and will implement and report to the Department its written procedures, with time frames, for fulfilling requests from the public for sign language or oral interpreters, real-time transcription services, and documents in alternate formats (Braille, large print, cassette tapes, etc.).

14. The County will take steps to ensure that all appropriate employees are trained and practiced in using the Utah Relay Service to make and receive calls.

LAW ENFORCEMENT AND EFFECTIVE COMMUNICATION

15. Within three months of the effective date of this Agreement, the County will adapt for its own use and implement the Washington County Sheriff Department's Policy Statement on Effective Communication with People Who are Deaf or Hard of Hearing [\[Attachment C\]](#) and distribute to all officers the Guide for Law Enforcement Officers When in Contact with People Who are Deaf or Hard of Hearing [\[Attachment D\]](#).

16. Within three months of the effective date of this Agreement, the County will contract with one or more local qualified oral/sign language interpreter agencies to ensure that the interpreting services will be available on a priority basis, twenty-four hours per day, seven days a week, to its sheriff's department or make other appropriate arrangements (such as contracting directly with or hiring qualified interpreters).

17. Within nine months of the effective date of this Agreement, the County will ensure that each sheriff's station or substation and each jail/prison/detention facility is equipped with a working TTY to enable persons who are deaf, hard of hearing, or who have speech impairments to make outgoing telephone calls. Where inmate telephone calls are time-limited, the County will adopt policies permitting inmates who use TTY's a longer period of time to make those calls, due to the slower nature of TTY communications compared with voice communications.

EMPLOYMENT

18. Within three months of the effective date of this Agreement, the County will amend its employment policies, as necessary, to comply with the regulations of the U.S. Equal Employment Opportunity Commission implementing title I of the Americans with Disabilities Act of 1990, codified at 29 C.F.R. Part 1630. At minimum, those policies will provide that the County:

- will not discriminate on the basis of disability in its hiring or employment practices.
- will not ask a job applicant about the existence, nature, or severity of a disability. Applicants may be asked about their ability to perform specific job functions. Medical examinations or inquiries may be made, but only after a conditional offer of employment is made and only if required of all applicants for the position.
- will make reasonable accommodations for the known physical or mental limitations of a qualified applicant or employee with a disability upon request unless the accommodation would cause an undue hardship on the operation of the County's business.
- If an applicant or an employee requests a reasonable accommodation and the individual's disability and need for the accommodation are not readily apparent or otherwise known, the County may ask the individual for information necessary to determine if the individual has a disability-related need

for the accommodation.

- will maintain any employee's medical records separate from personnel files and keep them confidential.
- will make an individualized assessment of whether a qualified individual with a disability meets selection criteria for employment decisions. To the extent the County's selection criteria have the effect of disqualifying an individual because of disability, those criteria will be job-related and consistent with business necessity.

VOTING

19. Some of the County's polling places may be owned or operated by other public entities subject to title II or by public accommodations subject to title III and, as such, would be subject to the obligation to provide program access or to remove barriers to accessibility under the ADA. This Agreement does not limit such future enforcement action against the owners or operators of these polling places by any person or entity, including the Department.

20. Within one month of the effective date of this Agreement, the County will request in writing that each of the owners and operators of the polling places listed in [Attachment E](#) below will remove the noted barriers to access for persons with disabilities and the County will distribute to them the Department's ADA Checklist for Polling Places (www.ada.gov/votingck.htm) ([Attachment F](#)). The request will specify that the remediation be completed within one year of the effective date of this Agreement. The County will simultaneously send a courtesy copy of the request to the Department.

21. Within 14 months of the effective date of this Agreement, the County will survey all facilities mentioned in [Attachment E](#) to determine whether the actions requested by the County have been implemented. If not, for each polling place that still contains inaccessible parking, exterior route, entrance, or interior route to the voting area, the County will identify within 18 months of the effective date of this Agreement an alternate location where these elements are accessible. That identification will utilize the Department's ADA Checklist for Polling Places (www.ada.gov/votingck.htm) ([Attachment F](#)). The County will then take immediate steps to change its polling place to the new location.

22. Until all polling places in each precinct or voting district have accessible parking, exterior routes, entrances, and interior routes to the voting area, prior to each election, the County will identify and widely publicize to the public and to persons with disabilities and organizations serving them the most accessible polling place(s) for each precinct or voting district.

23. Within three months of the effective date of this Agreement, the County will provide opportunities for same-day balloting for voters with disabilities whose assigned polling place does not have accessible parking, exterior route, entrance, and interior route to the voting area. The method for providing these opportunities may include allowing the individual to vote at another nearby location that is accessible, vote by an absentee ballot that is accepted if postmarked on the day of the election (or picked up by election officials at the home of the voter on the same day as the election), provide curbside voting at the inaccessible polling place, or any other method that ensures that disabled voters have the same degree of information available to them when casting their ballots as others.

24. Within two years of the effective date of this Agreement, the County will develop and implement a way for persons who are blind or have low vision to vote independently and privately, whether through ballots and instructions in alternate formats (in-person and absentee), Braille templates and audio instructions, the provision of accessible voting machines, or some other method.

25. Within three months of the effective date of this Agreement, the County will survey its voter registration locations for accessibility to persons with disabilities by using the Department's ADA

Checklist for Polling Places (www.ada.gov/votingck.htm) ([Attachment F](#)) and will report the results of this survey to the Department. If barriers to access are identified, the County will implement and report the Department its plan to provide program access, which may include allowing persons to register to vote through alternative means or at alternative locations.

26. Within three months of the effective date of this Agreement, the County will, to the extent possible, make all voter registration materials – which are generated and controlled by the State of Utah -- available in alternate formats, including Braille, large print, audio tape, and computer disk.

27. Starting three months from the effective date of this Agreement, when the County purchases or otherwise acquires new voting machines, one such newly-acquired machine per polling location will be the most accessible model for persons with disabilities (including those with mobility and visual impairments) that has been approved for County use by the applicable governing authority (e.g., State Secretary of Elections or other such official).

28. Starting three months from the effective date of this Agreement, when setting up its voting equipment, the County will ensure that the equipment's accessibility to persons with disabilities is maximized, such as setting up table-top equipment on accessible tables and within the reach ranges required by the Standards, as shown in the Department's ADA Checklist for Polling Places (www.ada.gov/votingck.htm) ([Attachment F](#)).

29. Within the month prior to the next election that utilizes the County's polling places, and at yearly anniversaries of the effective date of this Agreement until it expires, the County will train poll workers on the rights of people with disabilities and the practical aspects of assuring those rights. The training will cover, at minimum, the need to maintain the physical accessibility of polling locations; how to assist people with disabilities, as necessary; and how to operate any non-standard voting equipment or accessible features of standard equipment (particularly new, accessible equipment).

EMERGENCY MANAGEMENT PROCEDURES AND POLICIES

30. If the County contracts with another entity, such as the American Red Cross or another local government, to provide its emergency preparedness plans and emergency response services, the County will ensure that the other entity complies with the following provisions on its behalf.

31. Within three months of the effective date of this Agreement, the County will implement and report to the Department its written procedures that ensure that it regularly solicits and incorporates input from persons with a variety of disabilities and those who serve them regarding all phases of its emergency management plan (preparation, notification, response, and clean up).

32. Within three months of the effective date of this Agreement, the County will implement and report to the Department its written procedures that ensure that its community evacuation plans enable those who have mobility impairments, vision impairments, hearing impairments, cognitive disabilities, mental illness, or other disabilities to safely self-evacuate or be evacuated by others. Some communities are instituting voluntary, confidential registries of persons with disabilities who may need individualized evacuation assistance or notification. If the County adopts or maintains such a registry, its report to the Department will discuss its procedures for ensuring voluntariness, appropriate confidentiality controls, and how the registry will be kept updated, as well as its outreach plan to inform persons with disabilities of its availability. Whether or not a registry is used, the County's plan should address accessible transportation needs for persons with disabilities.

33. Within three months of the effective date of this Agreement, the County will implement and report to the Department its written procedures that ensure that if its emergency warning systems use sirens or other audible alerts, it will also provide ways to inform persons with hearing impairments of an impending disaster. The use of auto-dialed TTY messages to pre-registered individuals who are deaf or

hard of hearing, text messaging, e-mails, open-captioning on local TV stations and other innovative uses of technology may be incorporated into such procedures, as well as lower-tech options such as dispatching qualified sign language interpreters to assist with emergency TV broadcasts.

34. Within three months of the effective date of this Agreement, the County will implement and report to the Department its written procedures that ensure that at least one emergency shelter has a back-up generator and a way to keep medications refrigerated (such as a refrigerator or a cooler with ice). Such shelter(s) will be made available to persons whose disabilities require access to electricity and refrigeration, for example, for using life-sustaining medical devices, providing power to motorized wheelchairs, and preserving certain medications, such as insulin, that require refrigeration. The written procedures will include a plan for notifying persons of the location of such shelter(s).

35. Within three months of the effective date of this Agreement, the County will implement and report to the Department its written procedures that ensure that persons who use service animals are not separated from their service animals when sheltering during an emergency, even if pets are normally prohibited in shelters. The procedures will not unnecessarily segregate persons who use service animals from others but may take into account the potential presence of persons who, for safety or health reasons, should not be in contact with certain types of animals.

36. Some of the County's emergency shelters may be owned or operated by other public entities subject to title II or by public accommodations subject to title III and, as such, are subject to the obligation to provide program access or remove barriers to accessibility under the ADA. This Agreement does not limit such future enforcement action against the owners or operators of these facilities by any person or entity, including the Department.

37. Within three months of the effective date of this Agreement, the County will survey all emergency shelters, whether owned and operated by the County or by other entities, to determine whether the parking, exterior routes, entrances, interior routes to the shelter area, and toilet rooms to the shelter area comply with the Standards.

38. For emergency shelters owned and operated by the County, within nine months of the effective date of this Agreement, the County will either remove barriers to access identified in the County's survey, or identify an appropriate number of alternate shelters where the parking, exterior routes, entrances, interior routes to the shelter area, and toilet rooms to the shelter area comply with the Standards.

39. For emergency shelters owned or operated by other entities, within six months of the effective date of this Agreement, the County will request in writing that each of the owners and operators of these shelter facilities will remove the barriers to access for persons with disabilities identified during the County's survey. The request will specify that the remediation be completed within one year of the effective date of this Agreement. The County will simultaneously send a courtesy copy of the request to the Department.

40. Within 14 months of the effective date of this Agreement, the County will re-survey the shelters identified under the preceding paragraph to determine whether the noted barriers have been removed. If not all barriers have been removed, the County will identify within 18 months of the effective date of this Agreement an appropriate number of alternate shelters where the parking, exterior routes, entrances, interior routes to the shelter area, and toilet rooms to the shelter area comply with the Standards.

41. Within three months of the effective date of this Agreement and until all emergency shelters have accessible parking, exterior routes, entrances, interior routes to the shelter area, and toilet rooms serving the shelter area, the County will identify and widely publicize to the public and to persons with disabilities and the organizations that serve them the most accessible emergency shelters.

42. To the extent that the County provides opportunities for post-emergency temporary housing to its residents, within 3 months of the effective date of this Agreement, it will develop, implement, and report to the Department its plans for providing equivalent opportunities for accessible post-emergency

temporary housing to persons with disabilities. Within one year of the effective date of this Agreement, the County will ensure that information it makes available regarding temporary housing includes information on accessible housing (such as accessible hotel rooms within the community or in nearby communities) that could be used if people with disabilities cannot immediately return home after a disaster if, for instance, necessary accessible features such as ramps or electrical systems have been compromised.

WEB-BASED SERVICES AND PROGRAMS

43. Within 1 month of the effective date of this Agreement, and on subsequent anniversaries of the effective date of this Agreement, the County will distribute to all persons – employees and contractors – who design, develop, maintain, or otherwise have responsibility for content and format of its website(s) or third party websites used by the County (Internet Personnel) the technical assistance document, “Accessibility of State and Local Government Websites to People with Disabilities,” which is [Attachment G](#) to this Agreement (it is also available at www.ada.gov/websites2.htm).

44. Within three months of the effective date of this Agreement, and throughout the life of the Agreement, the County will do the following:

- a. Establish, implement, and post online a policy that its web pages will be accessible and create a process for implementation;
- b. Ensure that all new and modified web pages and content are accessible;
- c. Develop and implement a plan for making existing web content more accessible;
- d. Provide a way for online visitors to request accessible information or services by posting a telephone number or e-mail address on its home page; and
- e. Periodically (at least annually) enlist persons with disabilities to test its pages for ease of use.

PHYSICAL CHANGES TO FACILITIES

45. The elements or features of the County’s facilities that do not comply with the Standards, including those listed in Attachments H, I, and J, prevent persons with disabilities from fully and equally enjoying the County’s services, programs, or activities and constitute discrimination on the basis of disability within the meaning of 42 U.S.C. § 12132 and 28 C.F.R. §§ 35.149 and 35.150.

46. The County will comply with the cited provisions of the Standards when taking the actions required by this Agreement.

47. Within nine months of the effective date of this Agreement, the County will install signage as necessary to comply with 28 C.F.R. § 35.163(b), after having surveyed all facilities that are the subject of this Agreement for the purpose of identifying those that have multiple entrances not all of which are accessible.

48. Newly Constructed Facilities: In order to ensure that the spaces and elements in County facilities, for which construction was commenced after January 26, 1992, are readily accessible to and usable by persons with disabilities, the County will take the actions listed in [Attachment H](#).

49. Altered Facilities: In order to ensure that the spaces and elements in County facilities, for which alterations commenced after January 26, 1992, are readily accessible to and usable by persons with disabilities, the County will take the actions listed in [Attachment I](#).

50. Program Access in County's Existing Facilities: In order to ensure that each of the County's programs, services, and activities operating at a facility that is the subject of this Agreement, when viewed in its entirety, is readily accessible to and usable by persons with disabilities, the County will take the actions listed in [Attachment J](#).

MISCELLANEOUS PROVISIONS

51. Except as otherwise specified in this Agreement, at yearly anniversaries of the effective date of this Agreement until it expires, the County will submit written reports to the Department summarizing the actions the County has taken pursuant to this Agreement. Reports will include detailed photographs showing measurements, architectural plans, work orders, notices published in the newspaper, copies of adopted policies, and proof of efforts to secure funding/assistance for structural renovations or equipment.

52. Throughout the life of this Agreement, consistent with 28 C.F.R. § 35.133(a), the County will maintain the accessibility of its programs, activities, services, facilities, and equipment, and will take whatever actions are necessary (such as routine testing of accessibility equipment and routine accessibility audits of its programs and facilities) to do so. This provision does not prohibit isolated or temporary interruptions in service or access due to maintenance or repairs. 28 C.F.R. § 35.133(b).

53. Within six months of the effective date of this Agreement, the County will develop or procure a two-hour training program on the requirements of the ADA and appropriate ways of serving persons with disabilities. The County will use the ADA technical assistance materials developed by the Department and will consult with interested persons, including individuals with disabilities, in developing or procuring the ADA training program.

54. Within one year of the effective date of this Agreement, the County will deliver its training program to all County employees who have direct contact with members of the public. At the end of that period, the County will submit a copy of its training curriculum and materials to the Department, along with a list of employees trained and the name, title, and address of the trainer.

IMPLEMENTATION AND ENFORCEMENT

55. If at any time the County desires to modify any portion of this Agreement because of changed conditions making performance impossible or impractical or for any other reason, it will promptly notify the Department in writing, setting forth the facts and circumstances thought to justify modification and the substance of the proposed modification. Until there is written Agreement by the Department to the proposed modification, the proposed modification will not take effect. These actions must receive the prior written approval of the Department, which approval will not be unreasonably withheld or delayed.

56. The Department may review compliance with this Agreement at any time. If the Department believes that the County has failed to comply in a timely manner with any requirement of this Agreement without obtaining sufficient advance written agreement with the Department for a modification of the relevant terms, the Department will so notify the County in writing and it will attempt to resolve the issue or issues in good faith. If the Department is unable to reach a satisfactory resolution of the issue or issues raised within 30 days of the date it provides notice to the County, it may institute a civil action in federal district court to enforce the terms of this Agreement, or it may initiate appropriate steps to enforce title II and section 504 of the Rehabilitation Act.

57. For purposes of the immediately preceding paragraph, it is a violation of this Agreement for the County to fail to comply in a timely manner with any of its requirements without obtaining sufficient advance written agreement with the Department for an extension of the relevant time frame imposed by the Agreement.

58. Failure by the Department to enforce this entire Agreement or any provision thereof with regard to any deadline or any other provision herein will not be construed as a waiver of the Department's right to enforce other deadlines and provisions of this Agreement.

59. This Agreement is a public document. A copy of this document or any information contained in it will be made available to any person by the County or the Department on request.

60. This Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or agents of either party, that is not contained in this written Agreement (including its Attachments, which are hereby incorporated by reference), will be enforceable. This Agreement does not purport to remedy any other potential violations of the ADA or any other federal law. This Agreement does not affect the County's continuing responsibility to comply with all aspects of the ADA and section 504 of the Rehabilitation Act.

61. This Agreement will remain in effect for four years.

62. The person signing for the County represents that he or she is authorized to bind the County to this Agreement.

63. The effective date of this Agreement is the date of the last signature below.

For Washington County , Utah:

For the United States:

R. ALEXANDER ACOSTA
Assistant Attorney General for Civil Rights

By: _____

By: _____
JOHN L. WODATCH, Chief
JEANINE WORDEN, Deputy Chief
MARY LOU MOBLEY, Senior Counsel
JOSH MENDELSON, Supervisory Attorney
DANA JACKSON, Investigator
MICHELE ANTONIO MALLOZZI, Architect
U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Disability Rights Section - NYA
Washington, DC 20530

Date: September 21, 2004

Date: December 14, 2004



NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990, the County will not discriminate against qualified individuals with disabilities on the basis of disability in the County's services, programs, or activities.

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

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

Modifications to Policies and Procedures: The County will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all County programs, services, and activities. For example, individuals with service animals are welcomed in County offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a County program, service, or activity, should contact the office of Ms. Sherrie Larson, ADA Coordinator at (435) 652-5804 as soon as possible but no later than 48 hours before the scheduled event.

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

Complaints that a County program, service, or activity is not accessible to persons with disabilities should be directed to Ms. Sherrie Larson, ADA Coordinator, Washington County Administration Building, 197 Tabernacle Ave., St. George, UT 84770

The County will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

[\(Return to Agreement\)](#)

**Attachment B to Settlement Agreement between the United States of America
and
Washington County, Utah DJ# 204-77-63**

Washington County, Utah

Grievance Procedure under The Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the County. The County's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as the name, address, phone number of the complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Sherrie Larson, ADA Coordinator,
Washington County Administration
Building,
197 Tabernacle Ave.
St. George, UT 84770

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

If the response by Sherrie Larson or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of within 15 calendar days after receipt of the response to the **County Commissioner**.

Within 15 calendar days after receipt of the appeal, the **County Commissioner** will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **County Commissioner** will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Sherrie Larson or her designee, appeals to the **County Commissioner**, and responses from these two offices will be retained by the County for at least three years.

**Attachment C to Settlement Agreement between the United States of America
and
Washington County, Utah DJ# 204-77-63**

Washington County Sheriff's Police Department

POLICY STATEMENT REGARDING EFFECTIVE COMMUNICATION

WITH PEOPLE WHO ARE DEAF OR HARD OF HEARING

OVERVIEW

It is the policy of this law enforcement agency (Agency) to ensure that a consistently high level of service is provided to all community members, including those who are deaf or hard of hearing. This Agency has specific legal obligations under the Americans with Disabilities Act and the Rehabilitation Act. To carry out these policies and legal obligations, the Agency instructs its officers and employees as follows:

- People who identify themselves as deaf or hard of hearing are entitled to a level of service equivalent to that provided hearing persons.
- The Agency will make every effort to ensure that its officers and employees communicate effectively with people who have identified themselves as deaf or hard of hearing.
- Effective communication with a person who is deaf or hard of hearing involved in an incident – whether as a victim, witness, suspect, or arrestee – is essential in ascertaining what actually occurred, the urgency of the matter, and type of situation.
- Various types of communication aids – known as “auxiliary aids and services” – are used to communicate with people who are deaf or hard of hearing. These include use of gestures or visual aids to supplement oral communication; an exchange of written notes; use of a computer or typewriter; use of assistive listening devices (to amplify sound for persons who are hard of hearing); or use of qualified oral or sign language interpreters.
- The type of aid that will be required for effective communication will depend on the individual’s usual method of communication, and the nature, importance, and duration of the communication at issue.
- In many circumstances, oral communication supplemented by gestures and visual aids, an exchange of written notes, use of a computer or typewriter, or use of an assistive listening device may be effective. In other circumstances, qualified sign language or oral interpreters are needed to communicate effectively with persons who are deaf or hard of hearing. The more lengthy, complex, and important the communication, the more likely it is that a qualified interpreter will be required for effective communication with a person whose primary means of communication is sign

language or speech reading. For example:

- If there has been an incident and the officer is conducting witness interviews, a qualified sign language interpreter may be required to communicate effectively with someone whose primary means of communication is sign language.
- If a person is asking an officer for directions to a location, gestures and an exchange of written notes will likely be sufficient to communicate effectively and a sign language interpreter is often not required.
- To serve each individual effectively, primary consideration should be given to the communication aid or service that works best for that person. Officers must ask persons who are deaf or hard of hearing what type of auxiliary aid or service they need. Officers must defer to those expressed choices, unless there is another equally effective way of communicating, given the circumstances, length, complexity, and importance of the communication, as well as the communication skills of the person who is deaf or hard of hearing.
- The Agency is not required to provide a particular auxiliary aid or service if doing so would fundamentally alter the nature of the law enforcement activity in question, or if it would cause an undue administrative or financial burden. Only the Agency head or his or her designee may make this determination. For example:
 - If the Agency has limited financial resources and providing a particular auxiliary aid would cost a large sum of money, the Agency head may determine that it would be an undue financial burden (note: the Agency's budget as a whole must be considered). In this situation, the most effective means of communication that does not involve an undue burden must be used.
- The input of people who are deaf or hard of hearing who are involved in incidents is just as important to the law enforcement process as the input of others. Officers must not draw conclusions about incidents unless they fully understand – and are understood by – all those involved, including persons who are deaf or hard of hearing.
- People who are deaf or hard of hearing must never be charged for the cost of an auxiliary aid or service needed for effective communication.

ON-CALL INTERPRETIVE SERVICES

- The Agency will maintain a list of sign language and oral interpreting services that are available (on-call 24 hours per day) and willing to provide qualified interpreters as needed. Each of these services will be chosen after having been screened for the quality and skill of its interpreters, its reliability, and other factors such as cost. The Agency will update this list annually.
- A qualified sign language or oral interpreter is one who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Accordingly, an interpreter must be able to sign to the deaf individual (or interpret orally to the person who does not use sign language) what is being said by the hearing person and to voice to the hearing person what is being signed or said by the deaf individual. The interpreter must be able to interpret in the language the deaf person uses (e.g., American Sign Language or Signed English) and must be familiar with law enforcement terms and phrases. Because a qualified interpreter must be able to interpret impartially, a family member, child, or friend of the individual who is deaf may not be qualified to render the necessary interpretation because of factors such as professional, emotional, or personal involvement, or considerations of confidentiality. Additionally, although a “qualified” interpreter may be certified, a certified interpreter is not necessarily “qualified,” if he or

she is not a good communications match for the deaf person (e.g., where the deaf person uses Signed English and the interpreter uses American Sign Language) or the situation (e.g., where the interpreter is unfamiliar with law enforcement vocabulary). Certification is not required in order for an interpreter to be “qualified.”

TTY AND RELAY SERVICES

- In situations when a nondisabled person would have access to a telephone, officers must provide persons who are deaf or hard of hearing the opportunity to place calls using a text telephone (TTY, also known as a telecommunications device for deaf people, or TDD). Officers must also accept telephone calls placed by persons who are deaf or hard of hearing through the Telecommunications Relay Service.

TECHNIQUES FOR OFFICERS TO COMMUNICATE EFFECTIVELY

- Officers must review and have a working knowledge of *Guide for Law Enforcement Officers When In Contact With People Who Are Deaf or Hard of Hearing*. This document reviews how officers should communicate effectively in the types of situations officers will encounter. These situations include:
 - Issuing a noncriminal or motor vehicle citation.
 - Communicating with a person who initiates contact with an officer.
 - Interviewing a victim or critical witness to an incident.
 - Questioning a person who is a suspect in a crime.
 - Making an arrest or taking a person into custody.
 - Issuing *Miranda Warnings* to a person under arrest or in custody.
 - Interrogating a person under arrest or in custody.

PROCEDURES FOR OBTAINING AUXILIARY AIDS AND SERVICES

- Officers must utilize the following auxiliary aids, when available, to communicate effectively:
 - Use of gestures
 - Use of visual aids
 - Exchange of written notes
 - Use of computers or typewriters
 - Use of assistive listening devices
 - Use of teletypewriters (TTY’s)
 - Use of qualified oral or sign language interpreters

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GUIDE FOR LAW ENFORCEMENT OFFICERS

When In Contact With People Who Are Deaf or Hard of Hearing

As a law enforcement officer, you can expect to come into contact with people who are deaf or hard of hearing.

Title II of the Americans with Disabilities Act (ADA) of 1990 prohibits State and local government from discriminating against an individual with a disability. Municipal and State police and county sheriff departments are bound by this Federal law. Your office has adopted a more detailed policy regarding law enforcement officers' communication with people who are deaf or hard of hearing. You should become familiar with this policy.

What does title II require of you when interacting with persons who are deaf or hard of hearing?

Among other things, your communication with such an individual must be as effective as your communication with hearing people.

How do you communicate? Provide aids or services as necessary to ensure that the deaf or hard of hearing individual understands what you are saying and that you understand him or her. These can include:

- use of qualified sign language or oral interpreters
- for people who are hard of hearing, speaking loudly and clearly, and use of assistive listening devices (to amplify sound)
- use of gestures or visual aids to supplement oral communication
- an exchange of written notes
- or use of a computer or typewriter.

What method of communication should you use? The law requires you to give primary consideration to the individual's preference. Ask how the person wishes to communicate.

For example, some people who are deaf do not use sign language and may need to use a different aid or rely on lipreading. In one-on-one communication with an individual who lip reads, an officer should face the individual directly, and should ensure that the communication takes place in a well-lighted area.

Honor the individual's choice unless it would significantly interfere with your law enforcement responsibilities or you are confident that other means of communicating, that may be easier to provide, are just as effective. Remember that deaf or hard of hearing persons must be able to understand you as well as those who do not have hearing impairments.

DO NOT ask a family member or friend to interpret for a deaf individual unless it is urgent to communicate immediately and that is the only option. If the deaf person requests that arrangement and the other person agrees, however, you can proceed.

How do you know when you are communicating clearly to an individual who is deaf or hard of hearing? Ask the person to summarize what you are saying. Test his or her understanding.

If the person uses sign language, what kinds of communication require an interpreter? Consider the length, importance, and complexity of the communication, as well as the context.

- In a simple encounter, such as checking a driver’s license or giving directions, a notepad and pencil or perhaps gestures will normally be sufficient.
- During interrogations and arrests, a sign language interpreter will often be necessary.
- If the legality of a conversation will be questioned in court, such as where *Miranda* warnings are issued, a sign language interpreter may be necessary. You should be careful about misunderstandings in the absence of a qualified interpreter. A nod of the head may be an attempt to appear cooperative in the midst of misunderstanding, rather than consent or a confession of wrongdoing.
- In general, if an individual who does not have a hearing disability would be subject to police action without interrogation, then an interpreter will not be required, unless one is necessary to explain the action being taken.

Example: An officer clocks a car on the highway driving 15 miles above the speed limit. The driver, who is deaf, is pulled over and issued a noncriminal citation. The individual is able to understand the reasons for the citation, because the officer exchanges notes and points to information on the citation. A sign language interpreter is not needed.

Example: An officer responds to an aggravated battery call and upon arriving at the scene observes a bleeding victim and an individual holding a weapon. Eyewitnesses observed the individual strike the victim. The individual with the weapon is deaf, but the officer has probable cause to make a felony arrest without an interrogation. An interpreter is not necessary to carry out the arrest.

Example: An officer responds to the scene of a domestic disturbance. The husband says the wife has been beating their children and he has been trying to restrain her. The wife, who is deaf, requests an interpreter. The officer begins by exchanging notes but the woman’s responses indicate a lack of comprehension and poor grammar. An interpreter is necessary to carry out any arrest. In this situation, it would be inappropriate to use a family member to assist with communication, even if it is offered.

Do you have to take a sign language interpreter to a call about a violent crime in progress or a similar urgent situation involving a person who is deaf? No. An officer's immediate priority is to stabilize the situation. If the person being arrested is deaf, the officer can make an arrest and call for an interpreter to be available later at the booking station.

Contact numbers for your local sign language interpreters:

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Attachment E to Settlement Agreement between the United States of America and Washington County, Utah DJ# 204-77-63

Program Access Modification at Polling Places

Note, as required by Paragraph 20 of the Agreement, within one month of the effective date of this Agreement, the County will request in writing that each of the owners and operators of the polling places listed below will remove the noted barriers to access for persons with disabilities and the County will distribute to them the Department's ADA Checklist for Polling Places (www.ada.gov/votingck.htm) ([Attachment F](#)). The request will specify that the remediation be completed within one year of the effective date of this Agreement. The County will simultaneously send a courtesy copy of the request to the Department.

Additionally, as required by Paragraph 21 of the Agreement, within 14 months of the effective date of this Agreement, the County will survey all facilities mentioned below to determine whether the actions requested by the County have been implemented. If not, for each polling place that still contains inaccessible parking, exterior route, entrance, or interior route to the voting area, the County will identify within 18 months of the effective date of this Agreement an alternate location where these elements are accessible. That identification will utilize the Department's ADA Checklist for Polling Places (www.ada.gov/votingck.htm) ([Attachment F](#)). The County will then take immediate steps to change its polling place to the new location.

1. La Verkin City Office - Voting - 111 South Main, La Verkin UT, owner: City of La Verkin, Polling Place.

A. Parking

1) Although the parking lot has a total of 61 parking spaces with 2 parking spaces reserved for persons with disabilities, there are no vertical signage at the accessible spaces. Additionally, the access aisle shared by the 2 accessible spaces is not level, due to a built-up curb ramp extending into the aisle. Provide 1 van accessible space and 2 standard spaces designated as reserved for people with disabilities. Ensure that standard accessible spaces are a minimum of 96 inches wide and served by access aisles at least 60 inches wide. Ensure that van accessible spaces are a minimum of 96 inches wide and served by access aisles at least 96 inches wide. At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. At van accessible spaces, provide an additional "Van-Accessible" sign located below the International Symbol of Accessibility. Ensure that all spaces and access aisles for persons with disabilities are flat and level, with slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm, stable, and slip-resistant. Standards §§ 4.1.2(5), 4.6, 4.30.7(1).

2) The automatic door into the building is not operable. Public entities shall maintain in working order features of facilities that are required to provide ready access to people with disabilities. 28 C.F.R. § 35.133.

2. Burns Arena - owner: Dixie State College, Polling Place.

A. Parking

1) Although the parking lot has a total of 320 parking spaces, there is an insufficient number of accessible spaces designated for use by persons with disabilities, parking signs are mounted too low, and van accessible signage is not provided. On the shortest accessible route to the accessible entrance, provide 1 van accessible space and 7 standard spaces designated as reserved for people with disabilities. Ensure that standard accessible spaces are a minimum of 96 inches wide and served by access aisles at least 60 inches wide. Ensure that van accessible spaces are a minimum of 96 inches wide and served by access aisles at least 96 inches wide. At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. At van accessible spaces, provide an additional "Van-Accessible" sign located below the International Symbol of Accessibility. Ensure that all spaces and access aisles for persons with disabilities are flat and level, with slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm, stable, and slip-resistant. Standards §§ 4.1.2(5), 4.6, 4.30.7(1).

3. Santa Clara City - 2721 Santa Clara Drive, Santa Clara, UT, owner: City of Santa Clara, Polling Place.

A. Parking

1) Although the parking lot has a total of 26 parking spaces, a van accessible space is not provided and vertical signage is not provided. On the shortest accessible route to the accessible entrance, provide 1 van accessible space and 1 standard space designated as reserved for people with disabilities. Ensure that standard accessible spaces are a minimum of 96 inches wide and served by access aisles at least 60 inches wide. Ensure that van accessible spaces are a minimum of 96 inches wide and served by access aisles at least 96 inches wide. At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. At van accessible spaces, provide an additional "Van-Accessible" sign located below the International Symbol of Accessibility. Ensure that all spaces and access aisles for persons with disabilities are flat and level, with slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm, stable, and slip-resistant. Standards §§ 4.1.2(5), 4.6, 4.30.7(1).

4. Santa Clara Elementary School, owner: the Santa Clara School District, Polling Place.

A. Parking

1) Although the parking lot has a total of 160 parking spaces, access aisles are not provided and a van accessible space is not provided and the parking signage is mounted too low. On the shortest accessible route to the accessible entrance, provide 1 van accessible space and 5 standard spaces designated as reserved for people with disabilities. Ensure that standard accessible spaces are a minimum of 96 inches wide and served by access aisles at least 60 inches wide. Ensure that van accessible spaces are a minimum of 96 inches wide and served by access aisles at least 96 inches wide. At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. At van accessible spaces, provide an additional "Van-Accessible" sign located below the International Symbol of Accessibility. Ensure that all spaces and access aisles for persons with disabilities are flat and level, with slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm,

stable, and slip-resistant. Standards §§ 4.1.2(5), 4.6, 4.30.7(1).

5. Sunset Elementary School, owner: the Washington County School District, Polling Place.

A. Parking

1) The parking lot has 2 designated accessible standard spaces, but no vertical signage and no van accessible space. On the shortest accessible route to the accessible entrance, provide 1 van accessible space and 1 standard space designated as reserved for people with disabilities. Ensure that standard accessible spaces are a minimum of 96 inches wide and served by access aisles at least 60 inches wide. Ensure that van accessible spaces are a minimum of 96 inches wide and served by access aisles at least 96 inches wide. At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. At van accessible spaces, provide an additional "Van-Accessible" sign located below the International Symbol of Accessibility. Ensure that all spaces and access aisles for persons with disabilities are flat and level, with slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm, stable, and slip-resistant. Standards §§ 4.1.2(5), 4.6, 4.30.7(1).

6. Enterprise City Office - Enterprise UT, owner: City of Enterprise, Polling Place.

A. Parking

1) Although the parking lot has a total of 14 parking spaces with 1 designated accessible parking space, there is no vertical signage. On the shortest accessible route to the accessible entrance, provide 1 van accessible space and designated as reserved for people with disabilities. Ensure that van accessible spaces are a minimum of 96 inches wide and served by access aisles at least 96 inches wide. At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. At van accessible spaces, provide an additional "Van-Accessible" sign located below the International Symbol of Accessibility. Ensure that all spaces and access aisles for persons with disabilities are flat and level, with slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm, stable, and slip-resistant. Standards §§ 4.1.2(5), 4.6, 4.30.7(1).

7. Desert Hills Elementary School, owner: the Washington County School District, Polling Place.

A. Exterior Door

1) The exterior door threshold is inaccessible because there is a one inch change in level at the threshold to the door. Provide an accessible door with a threshold that is no greater than 1/4 inch, or is no greater than 1/2 inch and is beveled with a slope no greater than 1:2. Standards §§ 4.13.8, 4.5.2. Entrance door threshold no accessible.

8. Washington County Elementary School, owner: the Washington County School District; Polling Place.

A. Parking

1) The built-up curb ramp protrudes into the access aisle. At each standard accessible space, provide an access aisle at least 60 inches wide. At each van

accessible space, provide an access aisles at least 96 inches wide. Ensure that all access aisles are flat and level, with slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm, stable, and slip-resistant. Standards §§ 4.1.2(5), 4.6.3, Fig. 9.

2) No van accessible sign is provided. At van accessible spaces, provide a “Van-Accessible” sign located below the International Symbol of Accessibility such that the sign cannot be obstructed by vehicles parked in the space. Standards §§ 4.6.4, 4.30.7(1).

B. The exterior ramp located near the entrance of the building is inaccessible because handrails are not provided on both sides. Provide handrails that are between 1 1/4 inches and 1 1/2 inches in diameter with a continuous gripping surface along both sides of the ramp, extending at least 12 inches beyond the top and bottom of the ramp parallel with the ground surface. Ensure that handrails are mounted between 34 inches and 38 inches above the ramp surface, with ends rounded or returned smoothly to the floor, wall, or post, and that they do not rotate within their fittings. Standards § 4.8.5.

C. The entrance door to the voting area is inaccessible because thumb latch hardware is used. Provide a door with hardware that is easy to grasp with one hand and that does not require tight grasping, pinching, or twisting of the wrist to operate. Lever-operated mechanisms, push-type mechanisms, and U-shaped handles are acceptable designs. Standards § 4.13.9.

D. The interior ramp leading to the voting area is inaccessible because the handrails do not extend at the top and bottom of the ramp. Provide handrails that are between 1 1/4 inches and 1 1/2 inches in diameter with a continuous gripping surface along both sides of the ramp, extending at least 12 inches beyond the top and bottom of the ramp parallel with the ground surface. Ensure that handrails are mounted between 34 inches and 38 inches above the ramp surface, with ends rounded or returned smoothly to the floor, wall, or post, and that they do not rotate within their fittings. Standards § 4.8.5.

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Attachment H to Settlement Agreement between the United States of America and Washington County, Utah DJ# 204-77-63

Modifications to Newly Constructed Facilities

As required by Paragraph 47 of the Agreement, within nine months of the effective date of this Agreement, the County will install signage as necessary to comply with 28 C.F.R. § 35.163(b), after having surveyed all facilities that are the subject of this Agreement for the purpose of identifying those that have multiple entrances not all of which are accessible.

Newly Constructed Facilities: In order to ensure that the spaces and elements in County facilities, for which construction was commenced after January 26, 1992, are readily accessible to and usable by

persons with disabilities, the County will take the following actions:

1. Within 1 year of the effective date of this Agreement, Washington County, Utah will make the following modifications to Enterprise Public Library - 165 South 100 East - New Construction 1998:

A. Parking -

1) The parking reserved for persons with disabilities lacks appropriate signage. At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. Provide an additional "Van-Accessible" sign located below the International Symbol of Accessibility. Standards §§ 4.1.2(5), 4.6.4, 4.30.7(1).

2) The parking lot is inaccessible because there are no access aisles for the designated accessible parking spaces. At each standard accessible space, provide an access aisle at least 60 inches wide. At each van accessible space, provide an access aisles at least 96 inches wide. Ensure that all access aisles are flat and level, with slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm, stable, and slip-resistant. Standards §§ 4.1.2(5), 4.6.3, Fig. 9.

B. Men's and Women's Single-User Toilet Room

1) Doors - The required clear floor space at doors is obstructed by the drinking fountain. On the push side of the door, provide a clear path of travel for a side approach at least 42 inches wide and at least 24 inches of clear maneuvering space adjacent to the latch side of the door. Standards §§ 4.1.3(7)(b), 4.13.6, Fig. 25(c).

C. Men's Single-User Toilet Room

1) The toilet room sign mounted on the door is not accessible. Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.

2) Mirror - No accessible mirror has been provided. Provide a mirror with the bottom edge of its reflecting surface no more than 40 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.6, 4.19.6.

3) The side grab bar at the toilet is inaccessible because it is only 36 inches long and the far end is mounted 43 inches from the rear wall. Provide a side grab bar that is at least 42 inches in overall length, with the far end mounted at least 54 inches from the rear wall and the closer end 12 inches or less from the rear wall; mounted 33 to 36 inches above the finished floor; with a diameter between 1 1/4 and 1 1/2 inches; with 1 1/2 inches between the grab bar and the wall; and at least 1 1/2 inches between the grab bar and any other object, such as the toilet paper dispenser. Standards §§ 4.1.3(11), 4.22.4, 4.16.4, 4.26.2, Fig. 29.

4) The toilet is inaccessible because its centerline is 15 inches from the side wall. Provide a toilet with a centerline that measures 18 inches from the near side wall.

Standards §§ 4.1.3(11), 4.22.4, 4.16.2, Fig. 28.

5) The paper towel dispenser is inaccessible because it is mounted at 60 inches above the finished floor. Provide a paper towel dispenser with the controls a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6, Fig. 4.

D. Women's Single-User Toilet Room

1) The toilet room sign mounted on the door is not accessible. Provide a toilet room sign with raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6.

2) The toilet is inaccessible because the flush control is mounted on the closed side of the room away from the clear floor space needed to access it. Provide a flush control mounted on the "open" side of the toilet's clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.22.4, 4.16.5, 4.27.4.

2. Within 1 year of the effective date of this Agreement, Washington County, Utah will make the following modifications to Hurricane Public Library - 36 South 300 West - New addition 2003

A. Single-User Toilet Room

1) The toilet room door is inaccessible because the pressure required to open the door is 12 pounds. Provide a door that requires no more than 5 pounds of force to open. Standards §§ 4.1.3(7)(b), 4.13.11(2)(b).

2) The toilet room door swings into the required clear floor space at the lavatory. Ensure that no door swings into the required clear floor space at any accessible fixture. Standards §§ 4.1.3(11), 4.22.2.

3) The toilet seat cover dispenser is inaccessible because it is located behind the toilet 59 inches above the finished floor. Provide a toilet seat cover dispenser with a maximum height above the finished floor of 48 inches for a forward approach or 54 inches above the finished floor for a side approach. A clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5.

B. Since the Department's onsite inspection, the County has finished construction of the new wing of the Library facility. The County will allow the Department to make a full inspection of the new facility at a time and date to be mutually agreed upon. Within 6 months of receipt of the Department's findings, the County will make any required modifications to bring the facility into full compliance with the Standards.

3. Santa Clara Library - 50 South Main

A. Since the Department's onsite inspection, the County has finished construction of this new facility. The County will allow the Department to make a full inspection of the new facility at

a time and date to be mutually agreed upon. Within 6 months of receipt of the Department's findings, the County will make any required modifications to bring the facility into full compliance with the Standards.

4. Within 2 years of the effective date of this Agreement, Washington County, Utah will make the following modifications to Enterprise Senior Citizens Centers - 165 South 100 East

A. Parking

1) Although the parking lot has a total of 14 parking spaces, there are no designated accessible parking spaces provided. On the shortest accessible route to the accessible entrance, provide 1 van accessible space designated as reserved for people with disabilities. Ensure that van accessible spaces are a minimum of 96 inches wide and served by access aisles at least 96 inches wide. At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. At van accessible spaces, provide an additional "Van-Accessible" sign located below the International Symbol of Accessibility. Ensure that all spaces and access aisles for persons with disabilities are flat and level, with slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm, stable, and slip-resistant. Standards §§ 4.1.2(5), 4.6, 4.30.7(1).

B. Entrance Ramp - The ramp is inaccessible because only one handrail is provided and there are no handrail extensions at the top and bottom of ramp. Provide handrails that are between 1 1/4 inches and 1 1/2 inches in diameter with a continuous gripping surface along both sides of the ramp, extending at least 12 inches beyond the top and bottom of the ramp parallel with the ground surface. Ensure that handrails are mounted between 34 inches and 38 inches above the ramp surface, with ends rounded or returned smoothly to the floor, wall, or post, and that they do not rotate within their fittings. Standards §§ 4.1.2(1), 4.1.2(2), 4.3.8, 4.8.5.

C. Entrance Door

1) The main entrance door is inaccessible because there is a 1 inch change in level at the threshold to the door. Provide an accessible door with a threshold that is no greater than 1/4 inch, or is no greater than 1/2 inch and is beveled with a slope no greater than 1:2. Standards §§ 4.1.3(7)(a), 4.13.8, 4.5.2.

2) The entrance door is inaccessible because it does not have either a level maneuvering space on the pull-side, or an automatic door opener. Provide a designated accessible entrance that has a minimum clear opening width of 32 inches with the door open 90 degrees, measured between the face of the door and the opposite stop; that has either an automatic door operator or clear and level maneuvering clearance that complies fully with Fig. 25; and that has a threshold not exceeding 1/2 inch in height and beveled with a slope no greater than 1:2. Ensure that all hardware and operating devices have shapes that are easy to grasp with one hand and do not require tight grasping, pinching or twisting of the wrist to operate; and that they are mounted no higher than 48 inches above the finished floor. Standards §§ 4.1.3(7)(a), 4.13, Figs. 24, 25.

D. Drinking fountain - The free standing drinking fountain located near the toilet room is inaccessible because it does not provide the required clear floor space, knee clearance or spout height. Provide at least one drinking fountain with a spout height no higher than 36 inches, measured from the finished floor or ground surface to the spout outlet; and a spout located at the front of the unit that directs the water flow in a trajectory that is nearly parallel

to the front of the unit and is positioned so the flow of water is within 3 inches of the front edge of the fountain and at least 4 inches high. Ensure that fountain controls are operable with one hand, require 5 lbf or less to operate without tight grasping, pinching, or twisting of the wrist; and are front mounted or side mounted near the front edge. For each accessible drinking fountain, provide a drinking fountain that is accessible to people who have difficulty bending or stooping. This can be accommodated by the use of a “hi-lo” fountain; by providing one fountain accessible to those who use wheelchairs and one fountain at a standard height convenient for those who have difficulty bending; by providing a fountain accessible to people who use wheelchairs and a cup dispenser; or by such other means as would achieve the required accessibility for each group of people. Standards §§ 4.1.3(10), 4.15, 4.27.4, Fig. 27.

E. Men's Single-User Toilet Room

- 1) The toilet room sign mounted on the door is not accessible. Provide a toilet room sign with raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6.
- 2) The toilet room door swings into the required clear floor space at the lavatory. Ensure that no door swings into the required clear floor space at any accessible fixture. Standards §§ 4.1.3(11), 4.22.2.
- 3) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.22.6, 4.19.4.
- 4) No accessible mirror has been provided. Provide a mirror with the bottom edge of its reflecting surface no more than 40 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.6, 4.19.6.
- 5) The paper towel dispenser is inaccessible because it requires tight pinching and grasping. Provide a paper towel dispenser with mechanical controls, if any, that can be operated with 5 lbf or less and that can be used with one hand and without tight grasping, pinching, or twisting of the wrist (lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs). Standards §§ 4.1.3(13), 4.27.4.
- 6) The toilet seat cover dispenser is inaccessible because it is mounted behind the toilet too high above the finished floor. Provide a toilet seat cover dispenser with a maximum height above the finished floor of 48 inches for a forward approach or 54 inches above the finished floor for a side approach. A clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5.
- 7) The toilet is inaccessible because the flush control is mounted on the closed side of the room, away from the clear floor space needed to access it. Provide a flush control mounted on the “open” side of the toilet’s clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.22.4, 4.16.5, 4.27.4.

F. Women's Single-User Toilet Room

- 1) The toilet room sign mounted on the door is not accessible. Provide a toilet room sign with raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6.
- 2) The toilet room door swings into the required clear floor space at the lavatory. Ensure that no door swings into the required clear floor space at any accessible fixture. Standards §§ 4.1.3(11), 4.22.2.
- 3) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.22.6, 4.19.4.
- 4) No accessible mirror has been provided. Provide a mirror with the bottom edge of its reflecting surface no more than 40 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.6, 4.19.6.
- 5) The paper towel dispenser is inaccessible because it requires tight pinching and grasping. Provide a paper towel dispenser with mechanical controls, if any, that can be operated with 5 lbf or less and that can be used with one hand and without tight grasping, pinching, or twisting of the wrist (lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs). Standards §§ 4.1.3(13), 4.27.4.
- 6) The toilet is inaccessible because its centerline is 22 inches from the side wall. Provide a toilet with a centerline that measures 18 inches from the near side wall. Standards §§ 4.1.3(11), 4.22.4, 4.16.2, Fig. 28.
- 7) The toilet seat cover dispenser is inaccessible because it is mounted behind the toilet, and it is too high above the finished floor. Provide a toilet seat cover dispenser with a maximum height above the finished floor of 48 inches for a forward approach or 54 inches above the finished floor for a side approach. A clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5.
- 8) The toilet is inaccessible because the flush control is mounted on the closed side, away from the clear floor space needed to access it. Provide a flush control mounted on the “open” side of the toilet’s clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.22.4, 4.16.5, 4.27.4.

5. Within 2 years of the effective date of this Agreement, Washington County, Utah will make the following modifications to Habitat Conservation Plan - 10 North 100 East

A. Parking

- 1) Although the parking lot has a total of 20 parking spaces serving this facility, there is no van accessible spaces reserved for use by people with disabilities. On the shortest accessible route to the accessible entrance, provide 1 van accessible

space. Van accessible spaces shall be a minimum of 96 inches wide and served by access aisles at least 96 inches wide. All spaces designated as reserved for people with disabilities shall have vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. Van accessible spaces shall have an additional “Van-Accessible” sign located below the International Symbol of Accessibility. Standards §§ 4.1.2(5), 4.6, 4.30.7(1).

B. Entrance. There is no accessible route to this facility because the slope of the pathway from the sidewalk to the entrance exceeds 1:12 and there are no handrails or level landing at the top. Provide at least one accessible route within the boundary of the site connecting these elements that, to the maximum extent feasible, coincides with the route for the general public. The accessible route must have a minimum clear width of 36 inches, or a minimum clear width of 42 inches if there is a turn around an obstruction less than 48 inches wide; have passing spaces at least 60 inches by 60 inches at least every 200 feet; have a minimum clear headroom of 80 inches; have a surface that is firm, stable, and slip resistant; have, in the absence of a curb ramp, ramp, elevator, or platform lift, no level changes in excess of 1/2 inch vertically; and have a running slope of less than 1:20 (5%) (or have been constructed as a fully accessible ramp) and a cross slope of less than 1:50 (2%). Standards §§ 4.1.3(1), 4.3, 4.5, Fig. 7.

C. Interior door (exhibit area) - The door to the exhibit area is inaccessible because it has an opening width of only 28 inches. Provide a door with a clear opening of 32 inches with the door open 90 degrees, measured between the face of the door and the opposite stop. Standards §§ 4.1.3(7)(b), 4.13.5, Fig. 24.

D. The drinking fountain has a spout that is 39 inches above the finished floor. Provide a fountain that has a spout height no higher than 36 inches, measured from the finished floor or ground surface to the spout outlet; and that otherwise complies with the Standards. Standards §§ 4.1.3(10), 4.15, 4.27.4, Fig. 27.

E. Women’s Single-User Toilet Room

1) The toilet room sign mounted on the door is not accessible. Provide a toilet room sign with raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6.

2) No accessible coat hook has been provided. Provide a coat hook at a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(12)(a), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.

3) The toilet seat cover dispenser is inaccessible because it is located behind the toilet, at a height of 56 inches above the finished floor. Provide a toilet seat cover dispenser with a maximum height above the finished floor of 48 inches for a forward approach or 54 inches above the finished floor for a side approach. A clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5.

4) The toilet is inaccessible because the flush control is mounted on the closed side away from the clear floor space needed to access it. Provide a flush control mounted on the “open” side of the toilet’s clear floor space; 44 inches or less

above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.22.4, 4.16.5, 4.27.4.

5) The toilet is inaccessible because its centerline is 26 inches from the side wall. Provide a toilet with a centerline that measures 18 inches from the near side wall. Standards §§ 4.1.3(11), 4.22.4, 4.16.2, Fig. 28.

6) The side grab bar at the toilet is inaccessible because it is improperly mounted. Provide a side grab bar that is at least 40 inches in overall length, with the far end mounted at least 52 inches from the rear wall and the closer end 12 inches or less from the rear wall; mounted 33 to 36 inches above the finished floor; with a diameter between 1 1/4 and 1 1/2 inches; with 1 1/2 inches between the grab bar and the wall; and at least 1 1/2 inches between the grab bar and any other object, such as the toilet paper dispenser. Standards §§ 4.1.3(11), 4.22.4, 4.16.4, 4.26.2, Fig. 29.

F. Men's Single-User Toilet Room

1) The toilet room sign mounted on the door is not accessible. Provide a toilet room sign with raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6.

2) No accessible coat hook has been provided. Provide a coat hook at a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(12)(a), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.

3) The toilet seat cover dispenser located behind the toilet is inaccessible because it is mounted at 56 inches above the finished floor. Provide a toilet seat cover dispenser with a maximum height above the finished floor of 48 inches for a forward approach or 54 inches above the finished floor for a side approach. A clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5.

4) The toilet is inaccessible because the flush control is mounted on the closed side away from the clear floor space needed to access it. Provide a flush control mounted on the "open" side of the toilet's clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.22.4, 4.16.5, 4.27.4.

5) The toilet is inaccessible because its centerline is 26 inches from the side wall. Provide a toilet with a centerline that measures 18 inches from the near side wall. Standards §§ 4.1.3(11), 4.22.4, 4.16.2, Fig. 28.

6) The rear grab bar at the toilet is inaccessible because it is located 15 inches from the side wall. Provide a rear grab bar that is at least 36 inches in overall length with the closer end no more than 6 inches from the side wall. Standards §§ 4.1.3(11), 4.22.4, 4.16.4, Fig. 29.

6. Within 2 years of the effective date of this Agreement, Washington County, Utah will make the following modifications to Purgatory Correctional Facility - 750 South 5400 West, New Construction 1998

A. Parking Signage - The parking reserved for persons with disabilities lacks appropriate signage. At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. At van accessible spaces, provide an additional "Van-Accessible" sign located below the International Symbol of Accessibility. Standards §§ 4.1.2(5), 4.6.4, 4.30.7(1).

B. Men's Toilet Room with Stalls

1) The toilet room sign is not accessible - Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.

2) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.22.6, 4.19.4.

3) No accessible coat hook has been provided. Provide a coat hook at a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(12)(a), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.

C. Women's Toilet Room with Stalls

1) The toilet room sign is not accessible - Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.

2) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.22.6, 4.19.4.

3) The toilet is inaccessible because the flush control is mounted on the closed side away from the clear floor space needed to access it. Provide a flush control mounted on the "open" side of the toilet's clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.22.4, 4.16.5, 4.27.4.

4) No accessible coat hook has been provided. Provide a coat hook at a

maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(12)(a), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.

D. Inmate money drop counter - The counter is 42 inches high and the money drop slot is 44 1/2 inches high and, to reach it, one must reach over the counter. Provide a counter with on an accessible route such that a portion of the counter is at least 36 inches wide and no more than 36 inches above the finished floor, or provide an auxiliary counter with a maximum height of 36 inches in close proximity to the main counter, or provide equivalent facilitation. Equivalent facilitation may be provided in the form of a folding shelf attached to the main counter, an auxiliary table nearby, a clip board made available to the public, or other means. Provide a money drop slot that is within the reach ranges of someone using a wheelchair who has to reach over an obstruction. Standards §§ 4.1.1(2), 7.2(2), 4.1.3(1), 4.3, 4.2.5, 4.2.6, Figs. 5(b) and 6(c) .

E. Intake Booking Area - Toilet Room: Single User

1) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.22.6, 4.19.4.

F. Telephones - Cells A, B, C, D, E, F

1) The telephones located in the inmate cells A, B, C, D, E, F are inaccessible because the highest operable part is mounted 58 inches above the finished floor. Provide an accessible telephone with a clear floor space of at least 30 inches by 48 inches that allows either a forward or parallel approach by a person using a wheelchair such that bases, enclosures, and fixed seats do not impede approaches to the telephone; with the highest operable part of the telephone mounted no more than 48 inches above the floor for a front approach or no more than 54 inches above the floor for a side approach; that is hearing aid compatible and has a volume control mechanism; with a cord of at least 29 inches long from the telephone to the handset; and with signage that complies with the Standards. Standards §§ 4.1.3(17), 4.31, 4.30.7(2).

2) Although telephones are available for inmate use, there are no TTY's available for inmate use, so inmates with hearing or speech impairments do not have an equal opportunity to make outgoing calls. Provide at least one telephone with a built-in TTY or provide a portable TTY and at least one telephone with a shelf and outlet complying with the Standards, to facilitate telephone use by inmates with disabilities. 28 C.F.R. § 35.130; Standards §§ 4.1.3(17)(c), 4.30.7(3), 4.31.9.

7. Within 1 year of the effective date of this Agreement, Washington County, Utah will make the following modifications to Justice Court - 87 North 200 East, New construction 2003

A. Drinking Fountains (Outside entrance on 2nd floor)

1) Drinking Fountain - The wall-mounted drinking fountain is inaccessible because the fountain has a bottom edge that is 26 inches above the finished floor. Provide a drinking fountain with clear knee space between the bottom of the apron and the finished floor or ground of at least 27 inches high, 30 inches wide, and 17 to 19 inches deep; and a minimum clear floor space of 30 inches by 48

inches to allow a person in a wheelchair to approach the unit facing forward. Standards §§ 4.1.3(10), 4.15.5(1), Figs. 27(a), (b).

B. Women's Single-User Toilet Room

- 1) The toilet room sign is mounted on the door. Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.
- 2) The toilet seat cover dispenser is inaccessible because it is located behind the toilet, at a height of 55 inches above the finished floor. Provide a toilet seat cover dispenser with a maximum height above the finished floor of 48 inches for a forward approach or 54 inches above the finished floor for a side approach. A clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5.
- 3) The paper towel dispenser is inaccessible because it is mounted at 61 inches above the finished floor. Provide a paper towel dispenser with the controls a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6, Fig. 4.
- 4) The toilet paper dispenser is inaccessible because it is mounted 43 inches above the finished floor. Provide a toilet paper dispenser that is mounted within reach, with its top at least 1 1/2 inches under the side grab bar, and centered at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.4, 4.16.6, Fig. 29(b).
- 5) The rear grab bar at the toilet is inaccessible because the overall length is 30 inches. Provide a rear grab bar that is at least 36 inches in overall length with the closer end no more than 6 inches from the side wall. Standards §§ 4.1.3(11), 4.22.4, 4.16.4, Fig. 29.

C. Men's Single-User Toilet Room

- 1) The toilet room sign is mounted on the door. Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.
- 2) The toilet room door swings into the required clear floor space at the lavatory fixture. Ensure that no door swings into the required clear floor space at any accessible fixture. Standards §§ 4.1.3(11), 4.22.2.
- 3) Although an audible alarm is provided in this facility, there is no visual alarm appliance in the toilet room. Provide a visual alarm appliance in the toilet room. Standards §§ 4.1.3(14), 4.28.1, 4.28.3.

4) The toilet seat cover dispenser is inaccessible because it is located behind the toilet, at a height of 52 inches above the finished floor. Provide a toilet seat cover dispenser with a maximum height above the finished floor of 48 inches for a forward approach or 54 inches above the finished floor for a side approach. A clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5.

5) The paper towel dispenser is mounted at 61 inches above the finished floor. Provide a paper towel dispenser with the controls a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6, Fig. 4.

6) The toilet is inaccessible because the flush control is mounted on the closed side. Provide a flush control mounted on the “open” side of the toilet’s clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.22.4, 4.16.5, 4.27.4.

7) The toilet paper dispenser is inaccessible because it is mounted 40 inches above the finished floor. Provide a toilet paper dispenser that is mounted within reach, with its top at least 1 1/2 inches under the side grab bar, and centered at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.4, 4.16.6, Fig. 29(b).

8) The rear grab bar at the toilet is inaccessible because the overall length is 30 inches. Provide a rear grab bar that is at least 36 inches in overall length with the closer end no more than 6 inches from the side wall. Standards §§ 4.1.3(11), 4.22.4, 4.16.4, Fig. 29.

8. Within 1 year of the effective date of this Agreement, Washington County, Utah will make the following modifications to Dixie Center - 1835 Convention Center - New Construction, 1998

A. Dixie Center Museum

1) Museum Parking - Although the parking lot has a total of 401 parking spaces, there are no accessible parking spaces in this lot serving the museum that are reserved for the use of people with disabilities. On the shortest accessible route to the accessible entrance, provide 1 van accessible space and 8 standard spaces designated as reserved for people with disabilities. Ensure that standard accessible spaces are a minimum of 96 inches wide and served by access aisles at least 60 inches wide. Ensure that van accessible spaces are a minimum of 96 inches wide and served by access aisles at least 96 inches wide. At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. At van accessible spaces, provide an additional “Van-Accessible” sign located below the International Symbol of Accessibility. Ensure that all spaces and access aisles for persons with disabilities are flat and level, with slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm, stable, and slip-resistant. Standards §§ 4.1.2(5), 4.6, 4.30.7(1).

2) Museum - Single-User Toilet Room

a. The toilet room door is inaccessible because the pressure required to open the door is 11 pounds. Provide a door that requires no more than 5 pounds of force to open. Standards §§ 4.1.3(7)(b), 4.13.11(2)(b).

b. The toilet room door swings into the required clear floor space at the lavatory. Ensure that no door swings into the required clear floor space at any accessible fixture. Standards §§ 4.1.3(11), 4.22.2.

c. The paper towel dispenser is inaccessible because it is mounted at 52 inches above the finished floor. Provide a paper towel dispenser with the controls a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6, Fig. 4.

d. The toilet seat cover dispenser is inaccessible because it is located behind the toilet, at a height of 52 inches above the finished floor. Provide a toilet seat cover dispenser with a maximum height above the finished floor of 48 inches for a forward approach or 54 inches above the finished floor for a side approach. A clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5.

e. The toilet is inaccessible because the flush control is mounted on the closed side. Provide a flush control mounted on the “open” side of the toilet’s clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.22.4, 4.16.5, 4.27.4.

3) Museum - Men’s Toilet Room with Stalls

a. The toilet room door is inaccessible because the pressure required to open the door is 19 pounds. Provide a door that requires no more than 5 pounds of force to open. Standards §§ 4.1.3(7)(b), 4.13.11(2)(b).

b. The lavatory is inaccessible because there is no knee space provided. Provide a lavatory with the top of its rim or counter 34 inches or less above the finished floor; the bottom edge of the apron at least 29 inches above the finished floor; and knee and toe clearances that comply with Fig. 31. Standards §§ 4.1.3(11), 4.22.6, 4.19.2, Fig. 31.

c. The toilet is inaccessible because the flush control is mounted on the closed side. Provide a flush control mounted on the “open” side of the toilet’s clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.22.4, 4.16.5, 4.27.4.

d. The toilet paper dispenser is inaccessible because it is mounted 40 inches from the rear wall. Provide a toilet paper dispenser that is mounted with its top at least 1 1/2 inches under the side grab bar and 36 inches or less from the rear wall and is centered at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30(d).

4) Museum - Women's Toilet Room with Stalls

a. The toilet room door is inaccessible because the pressure required to open the door is 16 pounds. Provide a door that requires no more than 5 pounds of force to open. Standards §§ 4.1.3(7)(b), 4.13.11(2)(b).

b. The lavatory is inaccessible because there is no knee space provided. Provide a lavatory with the top of its rim or counter 34 inches or less above the finished floor; the bottom edge of the apron at least 29 inches above the finished floor; and knee and toe clearances that comply with Fig. 31. Standards §§ 4.1.3(11), 4.22.6, 4.19.2, Fig. 31.

c. The toilet is inaccessible because the flush control is mounted on the closed side. Provide a flush control mounted on the "open" side of the toilet's clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.22.4, 4.16.5, 4.27.4.

d. The toilet paper dispenser is inaccessible because it is mounted 40 inches from the rear wall. Provide a toilet paper dispenser that is mounted with its top at least 1 1/2 inches under the side grab bar and 36 inches or less from the rear wall and is centered at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30(d).

B. Dixie Center

1) Dixie Center Parking - Although the parking lot has a total of 502 parking spaces, there are only 2 accessible parking spaces in this lot that are reserved for the use of people with disabilities. On the shortest accessible route to the accessible entrance, provide 1 van accessible space and 6 standard spaces designated as reserved for people with disabilities. Ensure that standard accessible spaces are a minimum of 96 inches wide and served by access aisles at least 60 inches wide. Ensure that van accessible spaces are a minimum of 96 inches wide and served by access aisles at least 96 inches wide. At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. At van accessible spaces, provide an additional "Van-Accessible" sign located below the International Symbol of Accessibility. Ensure that all spaces and access aisles for persons with disabilities are flat and level, with slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm, stable, and slip-resistant. Standards §§ 4.1.2(5), 4.6, 4.30.7(1).

2) Concession Counter (Hall C)

a. The ticket service counter is inaccessible because it is 42 inches high. Provide a counter on an accessible route such that a portion of the counter is at least 36 inches wide and no more than 36 inches above the finished floor, or provide an auxiliary counter with a maximum height of 36 inches in close proximity to the main counter, or provide equivalent facilitation. Equivalent facilitation may be provided in the form of a folding shelf attached to the main counter, an auxiliary table nearby, a clip board made available to the public, or other means. Standards §§ 4.1.1(2), 7.2(2), 4.1.3(1), 4.3.

C. Drinking Fountain - The hi-lo drinking fountain is inaccessible because the high fountain is not detectable to a blind person using a cane. Provide an accessible route at this location such that no objects with their bottom leading edges measuring between 27 inches and 80 inches above the finished floor protrude more than 4 inches into walks, halls, corridors, passageways, or aisles. Free-standing objects mounted on posts or pylons may overhang 12 inches maximum from 27 inches to 80 inches above the ground or finished floor. Standards §§ 4.1.2(3), 4.4.

D. Elevator

1) The elevator is inaccessible because there is no audible arrival signal provided. Provide an audible signal indicating that the car is answering a call. Ensure that audible signals sound once for the up direction and twice for the down direction or have verbal annunciators that say “up” or “down”. Standards §§ 4.1.3(5), 4.10.4, Fig. 20.

E. East side - Men’s Toilet Room with Stalls - 1st Floor

1) The paper towel dispenser is inaccessible because the controls require tight twisting of the wrist or tight pinching to advance the paper. Provide a paper towel dispenser with mechanical controls, if any, that can be operated with 5 lbf or less and that can be used with one hand and without tight grasping, pinching, or twisting of the wrist (lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs). Standards §§ 4.1.3(13), 4.27.4.

2) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.22.6, 4.19.4.

3) The toilet paper dispenser is mounted above the side grab bar. Provide a toilet paper dispenser that is mounted with its top at least 1 1/2 inches under the side grab bar and 36 inches or less from the rear wall and is centered at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30(d).

F. East side - Women’s Toilet Room with Stalls - 1st Floor

1) The paper towel dispenser is inaccessible because the controls require tight twisting of the wrist or tight pinching to advance the paper. Provide a paper towel dispenser with mechanical controls, if any, that can be operated with 5 lbf or less and that can be used with one hand and without tight grasping, pinching, or twisting of the wrist (lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs). Standards §§ 4.1.3(13), 4.27.4.

2) The toilet is inaccessible because the flush control is mounted on the closed

side. Provide a flush control mounted on the “open” side of the toilet’s clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.22.4, 4.16.5, 4.27.4.

3) The lavatory is inaccessible because there is no knee space provided. Provide a lavatory with the top of its rim or counter 34 inches or less above the finished floor; the bottom edge of the apron at least 29 inches above the finished floor; and knee and toe clearances that comply with Fig. 31. Standards §§ 4.1.3(11), 4.22.6, 4.19.2, Fig. 31.

4) The toilet paper dispenser is mounted above the side grab bar. Provide a toilet paper dispenser that is mounted with its top at least 1 1/2 inches under the side grab bar and 36 inches or less from the rear wall and is centered at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30(d).

5) Alternate stall’s toilet paper dispenser - The toilet paper dispenser is mounted above the side grab bar. Provide a toilet paper dispenser that is mounted with its top at least 1 1/2 inches under the side grab bar and 36 inches or less from the rear wall and is centered at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30(d).

G. North side - Men’s Toilet Room with Stalls - 1st Floor

1) The paper towel dispenser is inaccessible because the controls require tight twisting of the wrist or tight pinching to advance the paper. Provide a paper towel dispenser with mechanical controls, if any, that can be operated with 5 lbf or less and that can be used with one hand and without tight grasping, pinching, or twisting of the wrist (lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs). Standards §§ 4.1.3(13), 4.27.4.

2) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.22.6, 4.19.4.

3) The toilet paper dispenser is mounted above the side grab bar. Provide a toilet paper dispenser that is mounted with its top at least 1 1/2 inches under the side grab bar and 36 inches or less from the rear wall and is centered at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30(d).

4) The toilet is inaccessible because the flush control is mounted on the closed side. Provide a flush control mounted on the “open” side of the toilet’s clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.22.4, 4.16.5, 4.27.4.

H. North side - Women’s Toilet Room with Stalls - 1st Floor

1) The paper towel dispenser is inaccessible because the controls require tight twisting of the wrist or tight pinching to advance the paper. Provide a paper towel dispenser with mechanical controls, if any, that can be operated with 5 lbf or less and that can be used with one hand and without tight grasping, pinching, or twisting of the wrist (lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs). Standards §§ 4.1.3(13), 4.27.4.

2) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.22.6, 4.19.4.

3) The toilet paper dispenser is mounted above the side grab bar. Provide a toilet paper dispenser that is mounted with its top at least 1 1/2 inches under the side grab bar and 36 inches or less from the rear wall and is centered at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30(d).

4) Although there are 8 stalls, there is no stall provided for ambulatory people with disabilities. Provide at least one stall that is exactly 36 inches wide with an outward swinging, self-closing door and parallel grab bars complying with Fig 30(d). Standards §§ 4.1.3(11), 4.22.4, Fig. 30(d).

I. East Overflow Toilet Room (Facility controlled Access - Can be used by men or women depending on the event - Access ONLY through the existing Men's or Women's toilet room)

1) The lavatory is inaccessible because there is no knee space provided. Provide a lavatory with the top of its rim or counter 34 inches or less above the finished floor; the bottom edge of the apron at least 29 inches above the finished floor; and knee and toe clearances that comply with Fig. 31. Standards §§ 4.1.3(11), 4.22.6, 4.19.2, Fig. 31.

2) The paper towel dispenser is inaccessible because the controls require tight twisting of the wrist or tight pinching to advance the paper. Provide a paper towel dispenser with mechanical controls, if any, that can be operated with 5 lbf or less and that can be used with one hand and without tight grasping, pinching, or twisting of the wrist (lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs). Standards §§ 4.1.3(13), 4.27.4.

3) Although there are 9 stalls, there is no stall provided for ambulatory people with disabilities. Provide at least one stall that is exactly 36 inches wide with an outward swinging, self-closing door and parallel grab bars complying with Fig 30(d). Standards §§ 4.1.3(11), 4.22.4, Fig. 30(d).

J. North Overflow Toilet Room (Facility controlled Access - Can be used by men or women depending on the event - Access ONLY through the existing Men's or Women's toilet room)

1) The lavatory is inaccessible because there is no knee space provided. Provide a lavatory with the top of its rim or counter 34 inches or less above the finished floor; the bottom edge of the apron at least 29 inches above the finished floor; and knee and toe clearances that comply with Fig. 31. Standards §§ 4.1.3(11), 4.22.6, 4.19.2, Fig. 31.

2) The paper towel dispenser is inaccessible because the controls require tight twisting of the wrist or tight pinching to advance the paper. Provide a paper towel dispenser with mechanical controls, if any, that can be operated with 5 lbf or less and that can be used with one hand and without tight grasping, pinching, or twisting of the wrist (lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs). Standards §§ 4.1.3(13), 4.27.4.

3) Although there are 9 stalls, there is no stall provided for ambulatory people with disabilities. Provide at least one stall that is exactly 36 inches wide with an

outward swinging, self-closing door and parallel grab bars complying with Fig 30(d). Standards §§ 4.1.3(11), 4.22.4, Fig. 30(d).

K. 2nd Floor - Men's Toilet Room with Stalls

1) The toilet room door is inaccessible because the pressure required to open the door is 18 pounds. Provide a door that requires no more than 5 pounds of force to open. Standards §§ 4.1.3(7)(b), 4.13.11(2)(b).

2) The paper towel dispenser is inaccessible because the controls require tight twisting of the wrist or tight pinching to advance the paper. Provide a paper towel dispenser with mechanical controls, if any, that can be operated with 5 lbf or less and that can be used with one hand and without tight grasping, pinching, or twisting of the wrist (lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs). Standards §§ 4.1.3(13), 4.27.4.

3) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.22.6, 4.19.4.

4) The toilet paper dispenser is mounted above the side grab bar. Provide a toilet paper dispenser that is mounted with its top at least 1 1/2 inches under the side grab bar and 36 inches or less from the rear wall and is centered at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30(d).

L. 2nd Floor - Women's Toilet Room with Stalls

1) The toilet room door is inaccessible because the pressure required to open the door is 15 pounds. Provide a door that requires no more than 5 pounds of force to open. Standards §§ 4.1.3(7)(b), 4.13.11(2)(b).

2) The paper towel dispenser is inaccessible because the controls require tight twisting of the wrist or tight pinching to advance the paper. Provide a paper towel dispenser with mechanical controls, if any, that can be operated with 5 lbf or less and that can be used with one hand and without tight grasping, pinching, or twisting of the wrist (lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs). Standards §§ 4.1.3(13), 4.27.4.

3) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.22.6, 4.19.4.

4) The toilet is inaccessible because the flush control is mounted on the closed side. Provide a flush control mounted on the "open" side of the toilet's clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.22.4, 4.16.5, 4.27.4.

5) The toilet paper dispenser is mounted above the side grab bar. Provide a toilet paper dispenser that is mounted with its top at least 1 1/2 inches under the side grab bar and 36 inches or less from the rear wall and is centered at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30(d).

9. St. George Senior Citizen Center - 245 North 200 West - Construction 2003

A. Since the Department's onsite inspection, the County has finished construction of this new facility. The County will allow the Department to make a full inspection of the new facility at a time and date to be mutually agreed upon. Within 6 months of receipt of the Department's findings, the County will make any required modifications to bring the facility into full compliance with the Standards.

[\(Return to Agreement\)](#)

Attachment I to Settlement Agreement between the United States of America and Washington County, Utah DJ# 204-77-63

Modifications to Altered Facilities

As required by Paragraph 47 of the Agreement, within nine months of the effective date of this Agreement, the County will install signage as necessary to comply with 28 C.F.R. § 35.163(b), after having surveyed all facilities that are the subject of this Agreement for the purpose of identifying those that have multiple entrances not all of which are accessible.

Altered Facilities: In order to ensure that the spaces and elements in County facilities, for which alterations commenced after January 26, 1992, are readily accessible to and usable by persons with disabilities, the County will take the following actions:

1. Within 2 years of the effective date of this Agreement, the County will complete the following modifications to the Washington County Administration Building - 197 East Tabernacle: Altered 2001.

A. Parking

1) Although the parking lot has a total of 232 parking spaces with 7 designated accessible parking spaces, 5 of the 7 designated standard accessible parking spaces do not have 60-inch wide access aisles and there is no van accessible signage. Ensure that standard accessible spaces are a minimum of 96 inches wide and served by access aisles at least 60 inches wide. Ensure that van accessible spaces are a minimum of 96 inches wide and served by access aisles at least 96 inches wide. At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. At van accessible spaces, provide an additional "Van-Accessible" sign located below the International Symbol of Accessibility. Ensure that all spaces and access aisles for persons with disabilities are flat and level, with slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm, stable, and slip-resistant. Standards §§ 4.1.2(5), 4.1.6(1)(b), 4.6, 4.30.7(1).

2) Building Entrance Off Parking Lot - Ramp

a. The ramp is inaccessible because hand rails are not provided on both sides of the upper level ramp. Provide handrails that are between 1 1/4 inches and 1 1/2 inches in diameter with a continuous gripping surface along both sides of the ramp, extending at least 12 inches beyond the top and bottom of the ramp parallel with the ground surface. Ensure that handrails are mounted between 34 inches and 38 inches above the ramp surface, with ends rounded or returned smoothly to the floor, wall, or post, and that they do not rotate within their fittings. Standards §§ 4.1.2(1), 4.1.2(2), 4.1.6(1)(b), 4.8.5.

3) Directional Signage

a. This building is a two-story facility with no internal vertical access provided between floors. There is an accessible entrance on the street side of the building to the lower level, and an accessible entrance on the parking lot side to the upper level. However, there is no signage directing persons with disabilities to the accessible routes for the various levels. At both entrances, provide accessible, directional signage with the International Symbol of Accessibility directing users with disabilities to go to the opposite entrance, if that is the accessible route to their intended destination. Standards §§ 4.1.3(8)(d), 4.1.3(16)(b), 4.1.6(1)(b), 4.13, 4.30.

B. Counters

1) Building Code office

a. The counter is inaccessible for reading maps or building plans, because it is 42 inches above the finished floor. Provide a counter on an accessible route such that a portion of the counter is at least 36 inches wide and no more than 36 inches above the finished floor, or provide an auxiliary counter with a maximum height of 36 inches in close proximity to the main counter, or provide equivalent facilitation. Equivalent facilitation may be provided in the form of a folding shelf attached to the main counter, an auxiliary table nearby, a clip board made available to the public, or other means. Standards §§ 4.1.1(2), 4.1.6(1)(b), 7.2(2), 4.1.3(1), 4.3.

C. Toilet Room: Single-User – Main Level - Commissioners Office, Altered 2001

1) The toilet room sign is not accessible. Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.

2) The door to the toilet room is inaccessible because it has an opening width of only 28 inches. Provide a door with a clear opening of 32 inches with the door open 90 degrees, measured between the face of the door and the opposite stop. Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.5, Fig. 24.

3) The toilet room door swings into the required clear floor space at the lavatory.

Ensure that no door swings into the required clear floor space at any accessible fixture. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.2.

4) The seat cover dispenser is inaccessible because it is mounted 62 inches above the finished floor and requires a forward reach over the toilet. Provide a seat cover dispenser that complies with Fig. 5 for a forward reach or with Fig. 6 for a side reach that is accompanied by a clear floor space of 30 by 48 inches that allows a forward or parallel approach, respectively, by a person using a wheelchair. Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6.

5) The paper towel dispenser is inaccessible because the controls are mounted at 58 inches above the finished floor. Provide a paper towel dispenser with the controls a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6.

6) The lavatory counter is not accessible. Provide a lavatory with the top of its rim or counter 34 inches or less above the finished floor; the bottom edge of the apron at least 29 inches above the finished floor; and knee and toe clearances that comply with Fig. 31. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.2, Fig. 31.

7) The toilet is inaccessible because the flush control is on the closed side, and the centerline of the toilet is 15 inches from the wall. Provide a toilet with a centerline that is 18 inches from the near side wall; a seat that is between 17 and 19 inches above the finished floor; clear floor space at the toilet that complies with Fig. 28; and a flush control mounted on the “open” side of the toilet’s clear floor space. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.2, 4.16.3, 4.16.5, Figs. 28, 29.

8) Grab bars at the toilet are not provided. Provide a rear grab bar that is at least 36 inches in overall length, with the closer end no more than 6 inches from the side wall, and a side grab bar that is at least 40 inches in overall length, with the far end mounted at least 52 inches from the rear wall and the closer end 12 inches or less from the rear wall. Ensure that the grab bars are mounted 33 to 36 inches above the finished floor; with a diameter between 1 1/4 and 1 1/2 inches; with 1 1/2 inches between the grab bars and the wall; and at least 1 1/2 inches between the grab bars and any other object, such as a toilet paper dispenser or a toilet seat cover dispenser. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.4, 4.26.2, Fig. 29.

D. Toilet Room Single User Unisex – Lower Level, Altered

1) The toilet room sign is not accessible. Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.

2) The paper towel dispenser is protruding and is not cane detectable for a blind person. Provide an accessible route at this location such that no objects with their bottom leading edges measuring between 27 inches and 80 inches above the

finished floor protrude more than 4 inches into walks, halls, corridors, passageways, or aisles. Free-standing objects mounted on posts or pylons may overhang 12 inches maximum from 27 inches to 80 inches above the ground or finished floor. Standards §§ 4.1.2(3), 4.1.6(1)(b), 4.4.

3) The toilet is inaccessible because the flush control is on the closed side. Provide a flush control mounted on the “open” side of the toilet’s clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.5, 4.27.4.

4) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.4.

5) The toilet paper dispenser is inaccessible because it is mounted above the side grab bar. Provide a toilet paper dispenser that is mounted with its top at least 1 1/2 inches under the side grab bar and 36 inches or less from the rear wall and centered the dispenser at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.3, Fig. 30(d).

6) The rear grab bar at the toilet is inaccessible because the overall length is 30 inches and it is higher than 36 inches above the finished floor. Provide a rear grab bar that is at least 36 inches in overall length with the closer end no more than 6 inches from the side wall. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.4, Fig. 29.

2. Within 1 year of the effective date of this Agreement, the County will complete the following modifications to the Washington County Recorder’s Office - 87 North 200 East; Altered 2001.

A. Counters

1) The main counter is inaccessible because the height is 43 inches above the finished floor. Provide a counter on an accessible route such that a portion of the counter is at least 36 inches wide and no more than 36 inches above the finished floor, or provide an auxiliary counter with a maximum height of 36 inches in close proximity to the main counter, or provide equivalent facilitation. Equivalent facilitation may be provided in the form of a folding shelf attached to the main counter, an auxiliary table nearby, a clip board made available to the public, or other means. Standards §§ 4.1.1(2), 4.1.6(1)(b), 7.2(2), 4.1.3(1), 4.3.

2) The map work station is inaccessible because the height is 41 inches above the finished floor. Provide a work station on a table or counter that has clear floor space that is 30 inches wide and 48 inches deep, knee clearance at least 27 inches high, 30 inches wide, and 19 inches deep, and a writing surface between 28 and 34 inches above the finished floor. Standards §§ 4.1.3(18), 4.1.6(1)(b), 4.2.4.1, 4.32.

3) The computer work station counter is inaccessible because the height is 41 inches above the finished floor. Provide a work station on a table or counter that has clear floor space that is 30 inches wide and 48 inches deep, knee clearance at least 27 inches high, 30 inches wide, and 19 inches deep, and a writing surface between 28 and 34 inches above the finished floor. Standards §§ 4.1.3(18), 4.1.6(1)(b), 4.2.4.1, 4.32.

3. Within 2 years of the effective date of this Agreement, the County will complete the following modifications to the Washington County Assessor's Office - 87 North 200 East; Altered 2001.

A. Men's Single User Toilet Room

1) The toilet room sign is not accessible. Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.

2) The door into the toilet room, which is accessed through a front approach and has both a closer and a latch, is inaccessible because adequate maneuvering clearance is not provided. On the pull side of the door, provide a path of travel at least 60 inches wide when the approach is a side approach from the hinge side and there is a minimum of 36 inches to the latch side of the door, OR provide a path of travel between 54 inches and 59 inches wide when the approach is a side approach from the hinge side and there is a minimum of 42 inches to the latch side of the door. Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.6, Fig. 25(b).

3) The toilet room door swings into the required clear floor space at the lavatory. Ensure that no door swings into the required clear floor space at any accessible fixture. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.2.

4) Access to the seat cover dispenser is obstructed by the toilet and is mounted 52 inches above the finished floor. Provide a seat cover dispenser that complies with Fig. 5 for a forward reach or with Fig. 6 for a side reach that is accompanied by a clear floor space of 30 by 48 inches that allows a forward or parallel approach, respectively, by a person using a wheelchair. Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6.

5) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.4.

6) The toilet paper dispenser is inaccessible because it is mounted above the grab bar. Provide a toilet paper dispenser that is mounted within reach, with its top at least 1 1/2 inches under the side grab bar, and centered at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.6, Fig. 29(b).

7) The rear grab bar at the toilet is inaccessible because the length is 30 inches and the space between the grab bar and the wall is 2.5 inches. Provide a rear grab bar that is at least 36 inches in overall length and that is mounted 33 to 36 inches above the finished floor with the closer end no more than 6 inches from the side wall. In addition the bar gripping surface should have a diameter between 1 1/4 and 1 1/2 inches; with 1 1/2 inches between the grab bar and the wall; and at least 1 1/2 inches between the grab bar and any other object, such as a toilet seat cover dispenser. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.4, 4.26.2, Fig29.

B. Women's Single-User Toilet Room

1) The toilet room sign is not accessible. Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.

2) The toilet room door, which is accessed from the hinge side of the door, is inaccessible because the maneuvering clearance is blocked by a trash can. On the pull side of the door, provide a path of travel at least 60 inches wide when the approach is a side approach from the hinge side and there is a minimum of 36 inches to the latch side of the door, OR provide a path of travel between 54 inches and 59 inches wide when the approach is a side approach from the hinge side and there is a minimum of 42 inches to the latch side of the door. Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.6, Fig. 25(b).

3) Access to the seat cover dispenser is obstructed by the toilet and is mounted 52 inches above the finished floor. Provide a seat cover dispenser that complies with Fig. 5 for a forward reach or with Fig. 6 for a side reach that is accompanied by a clear floor space of 30 by 48 inches that allows a forward or parallel approach, respectively, by a person using a wheelchair. Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6.

4) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.4.

5) The toilet is inaccessible because the flush control is on the closed side of the toilet's clear floor space. Provide a flush control mounted on the "open" side of the toilet's clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.5, 4.27.4.

6) The toilet paper dispenser is inaccessible because the dispenser is mounted above the grab bar. Provide a toilet paper dispenser that is mounted within reach, with its top at least 1 1/2 inches under the side grab bar, and centered at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.6, Fig. 29(b).

7) The rear grab bar at the toilet is inaccessible because the length is 30 inches. Provide a rear grab bar that is at least 36 inches in overall length with the closer end no more than 6 inches from the side wall. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.4, Fig. 29.

[\(Return to Agreement\)](#)

**United States of America and
Washington County, Utah DJ# 204-77-63**

Program Access in Existing Facilities

Please Note: Paragraph 47 of the Agreement requires that within three months of the effective date of this Agreement, the County will provide signage as necessary to comply with 28 C.F.R. § 35.163(b), after having surveyed all facilities that are the subject of this Agreement for the purpose of identifying those that have multiple entrances not all of which are accessible.

In order to ensure that each of the County's programs, services, and activities operating at a facility that is the subject of this Agreement, when viewed in its entirety, are readily accessible to and usable by persons with disabilities, the County will take the following actions:

1. Within 3 years of the effective date of this Agreement, Washington County, Utah will complete the following modifications to the Washington County Library:

A. Parking-Existing

1) Although the parking lot has a total of 25 parking spaces and 2 spaces are designated for use by persons with disabilities, the vertical signage is mounted too low and van accessible signage is not provided. In addition, a van accessible access aisle is not provided, and the access aisle for the standard accessible parking space is not level and not wide enough. Ensure that standard accessible spaces are a minimum of 96 inches wide and served by access aisles at least 60 inches wide. Ensure that van accessible spaces are a minimum of 96 inches wide and served by access aisles at least 96 inches wide. At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. At van accessible spaces, provide an additional "Van-Accessible" sign located below the International Symbol of Accessibility. Ensure that all spaces and access aisles for persons with disabilities are flat and level, with slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm, stable, and slip-resistant. Standards §§ 4.1.2(5), 4.1.6(1)(b), 4.6, 4.30.7(1).

B. Library Conference Room

1) The conference room door is inaccessible because knob hardware is used. Provide a door with hardware that is easy to grasp with one hand and that does not require tight grasping, pinching, or twisting of the wrist to operate. Lever-operated mechanisms, push-type mechanisms, and U-shaped handles are acceptable designs. Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.9.

2) There is no accessible route connecting the wheelchair seating areas and the raised stage in the meeting room. Provide an accessible route connecting the wheelchair seating locations to all spaces used by performers. Standards §§ 4.1.3(19)(a), 4.1.6(1)(b), 4.3, 4.33.5.

C. Telephones

1) The telephone is inaccessible because a volume control is not provided.

Provide an accessible telephone that is hearing aid compatible and has a volume control mechanism; with telephone books, if provided, located between 15 and 48 inches above the finished floor for a front approach or between 9 and 54 inches above the finished floor for a side approach with signage that complies with the Standards. Standards §§ 4.1.3(17), 4.1.6(1)(b), 4.31, 4.30.7(2).

D. Women's Toilet Room with Stalls

1) The toilet room sign is not accessible. Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.

2) No accessible mirror has been provided. Provide a mirror with the bottom edge of its reflecting surface no more than 40 inches above the finished floor. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.6.

3) The towel dispenser is inaccessible because the side approach to the control mechanism is obstructed by a trash can. In addition the towel dispenser control mechanism is inaccessible because it requires tight grasping of the hand to operate. Provide a towel dispenser such that the controls comply with Fig. 5 for a forward reach or with Fig. 6 for a side reach and such that it is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach, respectively, by a person using a wheelchair. Also provide a towel with mechanical controls, if any, that can be operated with 5 lbf or less and that can be used with one hand and without tight grasping, pinching, or twisting of the wrist (lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs). Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.2, 4.27.3, 4.27.4, 4.2.4, 4.2.5, 4.2.6.

4) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. In addition the lavatory controls require twisting of the wrist to operate. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Provide a lavatory with the top of its rim or counter 34 inches or less above the finished floor; the bottom edge of the apron at least 29 inches above the finished floor; knee and toe clearances that comply with Fig. 31; hot water and drain pipes covered or otherwise configured to protect against contact; clear floor space at least 30 inches wide and 48 inches deep centered on the lavatory; and a faucet that can be operated with 5 pounds of force or less and can be used with one hand and without tight grasping, pinching, or twisting of the wrist (lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs). Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.2, 4.19.3, 4.19.4, 4.19.5, 4.27.4, Figs. 31, 32.

5) No accessible coat hook has been provided. Provide a coat hook at a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(12)(a), 4.1.6(1)(b), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.

E. Men's Toilet Room with Stalls

1) The toilet room sign is not accessible. Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.

2) No accessible mirror has been provided. Provide a mirror with the bottom edge of its reflecting surface no more than 40 inches above the finished floor. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.6. The toilet room sign is not accessible.

3) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.4.

4) The toilet is inaccessible because the seat is 16 inches above the finished floor, the centerline of the toilet is 16 inches from the wall, and the flush control is located on the closed side. Provide a toilet with a centerline that is 18 inches from the near side wall; a seat that is between 17 and 19 inches above the finished floor; clear floor space at the toilet that complies with Fig. 28; and a flush control mounted on the "open" side of the toilet's clear floor space. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.2, 4.16.3, 4.16.5, Figs. 28, 29.

5) The rear grab bar at the toilet is inaccessible because the length is 30 inches. Provide a rear grab bar that is at least 36 inches in overall length with the closer end no more than 6 inches from the side wall. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.6, Fig. 30.

6) No accessible coat hook has been provided. Provide a coat hook at a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(12)(a), 4.1.6(1)(b), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.

2. Within 2 years of the effective date of this Agreement, Washington County, Utah will complete the following modifications to the County Attorney's Office - 178 North 200 East:

A. Parking

1) Although 2 of the 27 parking spaces are reserved for people with disabilities, there is no van accessible parking space and no vertical signage. On the shortest accessible route to the accessible entrance, provide (1) van accessible space and (1) standard space designated as reserved for people with disabilities. Ensure that standard accessible spaces are a minimum of 96 inches wide and served by access aisles at least 60 inches wide. Ensure that van accessible spaces are a minimum of 96 inches wide and served by access aisles at least 96 inches wide. At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. At van accessible spaces, provide an

additional “Van-Accessible” sign located below the International Symbol of Accessibility. Ensure that all spaces and access aisles for persons with disabilities are flat and level, with slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm, stable, and slip-resistant. Standards §§ 4.1.2(5), 4.1.6(1)(b), 4.6, 4.30.7(1).

2) The route from parking lot to the sidewalk is inaccessible because there is a 1 inch change in level. Provide at least one accessible route within the boundary of the site connecting these elements that, to the maximum extent feasible, coincides with the route for the general public. The accessible route must have a minimum clear width of 36 inches, or a minimum clear width of 42 inches if there is a turn around an obstruction less than 48 inches wide; have passing spaces at least 60 inches by 60 inches at least every 200 feet; have a minimum clear headroom of 80 inches; have a surface that is firm, stable, and slip resistant; have, in the absence of a curb ramp or ramp, no level changes in excess of 1/2 inch vertically; and have a running slope of less than 1:20 (5%) (or have been constructed as a fully accessible ramp) and a cross slope of less than 1:50 (2%). Standards §§ 4.1.3(1), 4.1.6(1)(b), 4.3, 4.5, Fig. 7.

B. The main counter is inaccessible because it is 48 inches above the finished floor. Provide a counter on an accessible route such that a portion of the counter is at least 36 inches wide and no more than 36 inches above the finished floor, or provide an auxiliary counter with a maximum height of 36 inches in close proximity to the main counter, or provide equivalent facilitation. Equivalent facilitation may be provided in the form of a folding shelf attached to the main counter, an auxiliary table nearby, a clip board made available to the public, or other means. Standards §§ 4.1.1(2), 4.1.6(1)(b), 7.2(2), 4.1.3(1), 4.3.

3. Within 2 years of the effective date of this Agreement, Washington County, Utah will complete the following modifications to the Hurricane Sr. Citizen Center - 95 North 300 West:

A. Parking

1) The signage designating parking as reserved for persons with disabilities is too low. At each space designated as reserved for persons with disabilities, provide a vertical sign with the International Symbol of Accessibility located such that it cannot be obstructed by vehicles parked in the space. Standards §§ 4.1.2(5), 4.1.6(1)(b), 4.6.4, 4.30.7(1).

B. Drinking Fountains

1) Although 3 drinking fountains are provided next to each other with an additional fountain outside the assembly area, they are not accessible because there is not enough knee clearance provided or clear floor space in front of the fixture. In addition, access is not provided for persons who have difficulty bending or stooping. Provide fountains that can be used by persons who use wheelchairs as well as those have difficulty bending and stooping. This can be accommodated by the use of a “hi-lo” fountain; by providing one fountain accessible to those who use wheelchairs and one fountain at a standard height convenient for those who have difficulty bending; by providing a fountain accessible to people who use wheelchairs and a cup dispenser; or by such other means as would achieve the required accessibility for each group of people. Standards §§ 4.15, 4.27.4, Fig. 27.

C. No accessible coat hook has been provided in the hall outside the toilet rooms. Provide a coat hook at a maximum height above the finished floor of 48 inches for a forward approach

or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(12)(a), 4.1.6(1)(b), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.

D. Women's Toilet Room with Stall

1) The toilet room sign is not accessible. Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.

2) The toilet room door is inaccessible because 15 pounds of pressure is required to open the door. Provide a door that requires no more than 5 pounds of force to open. Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.11(2)(b). The toilet room sign is not accessible.

3) The soap dispenser is inaccessible because it is mounted 56 inches above the finished floor. Provide a soap dispenser with mechanical controls, if any, that can be operated with 5 lbf or less and that can be used with one hand and without tight grasping, pinching, or twisting of the wrist (lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs). Ensure that the controls are a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that it is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.2, 4.27.3, 4.27.4, 4.2.4, 4.2.5, 4.2.6.

4) The paper towel is inaccessible because it requires tight grasping of the hand to operate. Provide a paper towel dispenser with mechanical controls, if any, that can be operated with 5 lbf or less and that can be used with one hand and without tight grasping, pinching, or twisting of the wrist (lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs). Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.4.

5) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.4.

6) The toilet room door swings into the required clear floor space at the toilet. Ensure that no door swings into the required clear floor space at any accessible fixture. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.2.

7) The toilet is inaccessible because the flush control is on the closed side of the toilet's clear floor space. Provide a flush control mounted on the "open" side of the toilet's clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.5, 4.17.2, 4.27.4.

8) The rear grab bar at the toilet is inaccessible because the length is 30 inches. Provide a rear grab bar that is at least 36 inches in overall length with the closer end no more than 6 inches from the side wall. Standards §§ 4.1.3(11), 4.1.6(1)

(b), 4.22.4, 4.17.6, Fig. 30.

9) No accessible coat hook has been provided. Provide a coat hook at a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(12)(a), 4.1.6(1)(b), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.

E. Men's Toilet Room with Stall - Hurricane Senior Center.

1) The toilet room door is inaccessible because 15 pounds of pressure is required to open the door. Provide a door that requires no more than 5 pounds of force to open. Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.11(2)(b). The toilet room sign is not accessible. Door opening is 15 lbf.

2) No accessible mirror has been provided. Provide a mirror with the bottom edge of its reflecting surface no more than 40 inches above the finished floor. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.6.

3) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.4.

4) The toilet room door swings into the required clear floor space at the toilet. Ensure that no door swings into the required clear floor space at any accessible fixture. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.2. The toilet is inaccessible because there is insufficient clear floor space. Provide clear floor space that complies with Fig. 30 at the toilet. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.3, Fig. 30.

5) No accessible coat hook has been provided. Provide a coat hook at a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(12)(a), 4.1.6(1)(b), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.

6) The rear grab bar at the toilet is inaccessible because the length is 30 inches. Provide a rear grab bar that is at least 36 inches in overall length with the closer end no more than 6 inches from the side wall. Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.6, Fig. 30.

7) The paper towel is inaccessible because it requires tight grasping of the hand to operate. Provide a paper towel dispenser with mechanical controls, if any, that can be operated with 5 lbf or less and that can be used with one hand and without tight grasping, pinching, or twisting of the wrist (lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs). Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.4.

4. Within 3 years of the effective date of this Agreement, Washington County, Utah will make the following modifications to Regional Park - 5500 West 700 South Hurricane, Existing facility:

A. Assembly Areas - Open Arena (Stadium style)

1) Although there are 4,498 seats, there is only one wheelchair location and it is not on an accessible route.

a. There is no accessible route from the sidewalk to the wheelchair seating. Provide at least one accessible route within the boundary of the site connecting these elements that, to the maximum extent feasible, coincides with the route for the general public. The accessible route must have a minimum clear width of 36 inches, or a minimum clear width of 42 inches if there is a turn around an obstruction less than 48 inches wide; have passing spaces at least 60 inches by 60 inches at least every 200 feet; have a minimum clear headroom of 80 inches; have a surface that is firm, stable, and slip resistant; have, in the absence of a curb ramp, ramp, elevator, or platform lift, no level changes in excess of 1/2 inch vertically; and have a running slope of less than 1:20 (5%) (or have been constructed as a fully accessible ramp) and a cross slope of less than 1:50 (2%). Standards §§ 4.3, 4.5, Fig. 7.

b. There is only one accessible wheelchair seating location provided, for 4,498 seats, with the assembly area not providing an adequate number of total spaces. Provide a total of 45 wheelchair seating areas, each with a minimum clear ground or floor space of 66 inches wide by 48 inches deep for forward or rear access, or 66 inches wide by 60 inches deep for side access. Ensure that the ground or floor at all wheelchair locations is level, firm, stable, and slip resistant; that wheelchair seating areas are an integral part of the fixed seating plan and are located so as to provide people with physical disabilities a choice of admission prices and lines of sight comparable to those available for members of the general public; that wheelchair seating areas adjoin an accessible route that also serves as a means of egress in case of emergency; and that at least one fixed companion seat is provided next to each wheelchair seating area. Standards §§ 4.1.3(19)(a), 4.5, 4.33.

2) No assistive listening system - The open arena stadium is inaccessible to people with hearing impairments because although an audio amplification system is provided in combination with fixed seating, there is no assistive listening system. Provide a permanently installed assistive listening system serving the fixed seating. Ensure that the seating served by the system is located within a 50 foot viewing distance of the stage or playing area and has a complete view of the stage or playing area. Provide 180 receivers for use by the general public and signage indicating their availability. Standards §§ 4.1.3(19)(b), 4.30, 4.33.

B. Assembly Areas - Race Track Seating (Stadium style)

1) There are a total of 1,737 seats with no designated wheelchair locations. Provide 17 wheelchair seating areas, each with a minimum clear ground or floor space of 66 inches wide by 48 inches deep for forward or rear access, or 66 inches wide by 60 inches deep for side access. Ensure that the ground or floor at all wheelchair locations is level, firm, stable, and slip resistant; that wheelchair seating areas are an integral part of the fixed seating plan and are located so as to provide people with physical disabilities a choice of admission prices and lines of sight comparable to those available for members of the general public; that wheelchair seating areas adjoin an accessible route that also serves as a means of egress in case of emergency; and that at least one fixed companion seat is

provided next to each wheelchair seating area. Standards §§ 4.1.3(19)(a), 4.5, 4.33.

2) No assistive listening system - The open arena stadium is inaccessible to people with hearing impairments because although an audio amplification system is provided in combination with fixed seating, there is no assistive listening system. Provide a permanently installed assistive listening system serving the fixed seating. Ensure that the seating served by the system is located within a 50 foot viewing distance of the stage or playing area and has a complete view of the stage or playing area. Provide 69 receivers for use by the general public and signage indicating their availability. Standards §§ 4.1.3(19)(b), 4.30, 4.33.

3) There is no accessible route from the parking area to the wheelchair seating. Provide at least one accessible route within the boundary of the site connecting these elements that, to the maximum extent feasible, coincides with the route for the general public. The accessible route must have a minimum clear width of 36 inches, or a minimum clear width of 42 inches if there is a turn around an obstruction less than 48 inches wide; have passing spaces at least 60 inches by 60 inches at least every 200 feet; have a minimum clear headroom of 80 inches; have a surface that is firm, stable, and slip resistant; have, in the absence of a curb ramp, ramp, elevator, or platform lift, no level changes in excess of 1/2 inch vertically; and have a running slope of less than 1:20 (5%) (or have been constructed as a fully accessible ramp) and a cross slope of less than 1:50 (2%). Standards §§ 4.3, 4.5, Fig. 7.

C. Assembly Areas - Indoor Arena (Stadium style)

1) There are a total of 1,929 seats with no designated wheelchair locations. Provide 19 wheelchair seating areas, each with a minimum clear ground or floor space of 66 inches wide by 48 inches deep for forward or rear access, or 66 inches wide by 60 inches deep for side access. Ensure that the ground or floor at all wheelchair locations is level, firm, stable, and slip resistant; that wheelchair seating areas are an integral part of the fixed seating plan and are located so as to provide people with physical disabilities a choice of admission prices and lines of sight comparable to those available for members of the general public; that wheelchair seating areas adjoin an accessible route that also serves as a means of egress in case of emergency; and that at least one fixed companion seat is provided next to each wheelchair seating area. Standards §§ 4.1.3(19)(a), 4.5, 4.33.

2) No assistive listening system - The open arena stadium is inaccessible to people with hearing impairments because although an audio amplification system is provided in combination with fixed seating, there is no assistive listening system. Provide a permanently installed assistive listening system serving the fixed seating. Ensure that the seating served by the system is located within a 50 foot viewing distance of the stage or playing area and has a complete view of the stage or playing area. Provide 77 receivers for use by the general public and signage indicating their availability. Standards §§ 4.1.3(19)(b), 4.30, 4.33.

D. Assembly Areas - Elks Arena (Stadium style)

1) There are a total of 380 seats with no designated wheelchair locations. Provide 4 wheelchair seating areas, each with a minimum clear ground or floor space of 66 inches wide by 48 inches deep for forward or rear access, or 66 inches wide by 60 inches deep for side access. Ensure that the ground or floor at all

wheelchair locations is level, firm, stable, and slip resistant; that wheelchair seating areas are an integral part of the fixed seating plan and are located so as to provide people with physical disabilities a choice of admission prices and lines of sight comparable to those available for members of the general public; that wheelchair seating areas adjoin an accessible route that also serves as a means of egress in case of emergency; and that at least one fixed companion seat is provided next to each wheelchair seating area. Standards §§ 4.1.3(19)(a), 4.5, 4.33.

2) No assistive listening system - The open arena stadium is inaccessible to people with hearing impairments because although an audio amplification system is provided in combination with fixed seating, there is no assistive listening system. Provide a permanently installed assistive listening system serving the fixed seating. Ensure that the seating served by the system is located within a 50 foot viewing distance of the stage or playing area and has a complete view of the stage or playing area. Provide 15 receivers for use by the general public and signage indicating their availability. Standards §§ 4.1.3(19)(b), 4.30, 4.33.

E. Parking - Race Track

1) Although the dirt lot has approximately 2,400 spaces, no accessible parking spaces are provided. On the shortest accessible route to the race track entrance, provide 4 van accessible spaces and 30 standard accessible spaces designated as reserved for people with disabilities. Standard accessible spaces shall be a minimum of 96 inches wide and served by access aisles at least 60 inches wide. Van accessible spaces shall be a minimum of 96 inches wide and served by access aisles at least 96 inches wide. All spaces designated as reserved for people with disabilities shall have vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. Van accessible spaces shall have an additional "Van-Accessible" sign located below the International Symbol of Accessibility. Standards §§ 4.1.2(5), 4.6, 4.30.7(1).

F. Event Parking for RVs & Trailers

1) This parking lot is a dirt lot and has no demarcated spaces. Based on the lot capacity, on the shortest accessible route to the accessible entrance provide a reasonable number of RV and trailer parking spaces designated as reserved for persons with disabilities. At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility. Ensure that all spaces and access aisles for persons with disabilities are flat and level, with slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm, stable, and slip-resistant. Standards §§ 4.1.2(5), 4.6, 4.30.7(1).

G. Parking - Exhibit Building

1) Although the parking lot has a total of 193 parking spaces, an inadequate number are van accessible. On the shortest accessible route to the accessible entrance, provide 1 van accessible space a minimum of 96 inches wide, served by an access aisle at least 96 inches wide, with a vertical sign with the International Symbol of Accessibility located such that it cannot be obstructed by parked vehicles, and with an additional "Van-Accessible" sign located below the International Symbol of Accessibility. Standards §§ 4.1.2(5)(b), 4.6, 4.30.7(1).

2) The parking reserved for persons with disabilities lacks appropriate signage.

At all spaces designated as reserved for persons with disabilities, provide vertical signs with the International Symbol of Accessibility located such that they cannot be obstructed by parked vehicles. At van accessible spaces, provide an additional “Van-Accessible” sign located below the International Symbol of Accessibility. Standards §§ 4.1.2(5), 4.6.4, 4.30.7(1).

3) The parking lot is inaccessible because there are no access aisles. At each standard accessible space, provide an access aisle at least 60 inches wide. At each van accessible space, provide an access aisles at least 96 inches wide. Ensure that all access aisles are flat and level, with slopes and cross-slopes not exceeding 1:50 in all directions, and that their surfaces are firm, stable, and slip-resistant. Standards §§ 4.1.2(5), 4.6.3, Fig. 9.

H. Assembly Areas - Open Arena (Stadium style)

1) There is no accessible route from the sidewalk connecting the parking to the wheelchair seating. Provide at least one accessible route within the boundary of the site connecting these elements that, to the maximum extent feasible, coincides with the route for the general public. The accessible route must have a minimum clear width of 36 inches, or a minimum clear width of 42 inches if there is a turn around an obstruction less than 48 inches wide; have passing spaces at least 60 inches by 60 inches at least every 200 feet; have a minimum clear headroom of 80 inches; have a surface that is firm, stable, and slip resistant; have, in the absence of a curb ramp, ramp, elevator, or platform lift, no level changes in excess of 1/2 inch vertically; and have a running slope of less than 1:20 (5%) (or have been constructed as a fully accessible ramp) and a cross slope of less than 1:50 (2%). Standards §§ 4.3, 4.5, Fig. 7.

I. Accessible Route - Race Track

1) There is no accessible route from the sidewalk connecting the parking to the wheelchair seating. Provide at least one accessible route within the boundary of the site connecting these elements that, to the maximum extent feasible, coincides with the route for the general public. The accessible route must have a minimum clear width of 36 inches, or a minimum clear width of 42 inches if there is a turn around an obstruction less than 48 inches wide; have passing spaces at least 60 inches by 60 inches at least every 200 feet; have a minimum clear headroom of 80 inches; have a surface that is firm, stable, and slip resistant; have, in the absence of a curb ramp, ramp, elevator, or platform lift, no level changes in excess of 1/2 inch vertically; and have a running slope of less than 1:20 (5%) (or have been constructed as a fully accessible ramp) and a cross slope of less than 1:50 (2%). Standards §§ 4.3, 4.5, Fig. 7.

J. Accessible Route - Elks Arena

1) There is no accessible route from the sidewalk connecting the parking to the wheelchair seating. Provide at least one accessible route within the boundary of the site connecting these elements that, to the maximum extent feasible, coincides with the route for the general public. The accessible route must have a minimum clear width of 36 inches, or a minimum clear width of 42 inches if there is a turn around an obstruction less than 48 inches wide; have passing spaces at least 60 inches by 60 inches at least every 200 feet; have a minimum clear headroom of 80 inches; have a surface that is firm, stable, and slip resistant; have, in the absence of a curb ramp, ramp, elevator, or platform lift, no level changes in excess of 1/2 inch vertically; and have a running slope of less than

1:20 (5%) (or have been constructed as a fully accessible ramp) and a cross slope of less than 1:50 (2%). Standards §§ 4.3, 4.5, Fig. 7.

K. Accessible Route - Stall Barn and Stalls.

1) There is no accessible route from the sidewalk connecting the parking to the wheelchair seating. Provide at least one accessible route within the boundary of the site connecting these elements that, to the maximum extent feasible, coincides with the route for the general public. The accessible route must have a minimum clear width of 36 inches, or a minimum clear width of 42 inches if there is a turn around an obstruction less than 48 inches wide; have passing spaces at least 60 inches by 60 inches at least every 200 feet; have a minimum clear headroom of 80 inches; have a surface that is firm, stable, and slip resistant; have, in the absence of a curb ramp, ramp, elevator, or platform lift, no level changes in excess of 1/2 inch vertically; and have a running slope of less than 1:20 (5%) (or have been constructed as a fully accessible ramp) and a cross slope of less than 1:50 (2%). Standards §§ 4.3, 4.5, Fig. 7.

L. Accessible Route - The Stalls near the Elks Arena.

1) There is no accessible route from the sidewalk connecting the parking to the wheelchair seating. Provide at least one accessible route within the boundary of the site connecting these elements that, to the maximum extent feasible, coincides with the route for the general public. The accessible route must have a minimum clear width of 36 inches, or a minimum clear width of 42 inches if there is a turn around an obstruction less than 48 inches wide; have passing spaces at least 60 inches by 60 inches at least every 200 feet; have a minimum clear headroom of 80 inches; have a surface that is firm, stable, and slip resistant; have, in the absence of a curb ramp, ramp, elevator, or platform lift, no level changes in excess of 1/2 inch vertically; and have a running slope of less than 1:20 (5%) (or have been constructed as a fully accessible ramp) and a cross slope of less than 1:50 (2%). Standards §§ 4.3, 4.5, Fig. 7.

M. Accessible Route- Exhibit Hall Signage

1) There is no signage directing people with disabilities to the accessible route to the seating area. Provide accessible directional signage with the International Symbol of Accessibility indicating the location of the accessible route to the stadium seating area. Standards §§ 4.1.2(7)(d), 4.1.6(3)(e)(iii), 4.30.1, 4.30.2, 4.30.3, 4.30.5, 4.30.7.

N. Women's Toilet Room with Stalls - Exhibit Hall

1) The toilet room sign is mounted on the door. Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.

2) The toilet room door is inaccessible because knob hardware is used. Provide a door with hardware that is easy to grasp with one hand and that does not require tight grasping, pinching, or twisting of the wrist to operate. Lever-operated mechanisms, push-type mechanisms, and U-shaped handles are acceptable

designs. Standards §§ 4.1.3(7)(b), 4.13.9.

3) The paper towel dispenser is mounted at 63 inches above the finished floor. Provide a paper towel dispenser with the controls a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6, Fig. 4.

4) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.22.6, 4.19.4.

5) The toilet paper dispenser is too high. Provide a toilet paper dispenser that is mounted with its top at least 1 1/2 inches under the side grab bar and 36 inches or less from the rear wall and is centered at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30(d).

6) There is no rear grab bar provided. Provide a rear grab bar that is at least 36 inches in overall length, with the closer end no more than 6 inches from the side wall; mounted 33 to 36 inches above the finished floor; with a diameter between 1 1/4 and 1 1/2 inches; with 1 1/2 inches between the grab bar and the wall; and at least 1 1/2 inches between the grab bar and any other object, such as a toilet seat cover dispenser. Standards §§ 4.1.3(11), 4.22.4, 4.17.6, 4.26.2, Fig. 30.

7) There is no side grab bar provided. Provide a side grab bar that is at least 40 inches in overall length, with the far end mounted at least 52 inches from the rear wall and the closer end 12 inches or less from the rear wall; mounted 33 to 36 inches above the finished floor; with a diameter between 1 1/4 and 1 1/2 inches; with 1 1/2 inches between the grab bar and the wall; and at least 1 1/2 inches between the grab bar and any other object, such as the toilet paper dispenser. Standards §§ 4.1.3(11), 4.22.4, 4.17.6, 4.26.2, Figs. 30(a), (d).

O. Men's Toilet Room with Stalls - Exhibit Hall

1) The toilet room sign is mounted on the door. Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.

2) The toilet room door is inaccessible because knob hardware is used. Provide a door with hardware that is easy to grasp with one hand and that does not require tight grasping, pinching, or twisting of the wrist to operate. Lever-operated mechanisms, push-type mechanisms, and U-shaped handles are acceptable designs. Standards §§ 4.1.3(7)(b), 4.13.9.

3) The paper towel dispenser is mounted at 56 inches above the finished floor. Provide a paper towel dispenser with the controls a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards

§§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6, Fig. 4

4) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.22.6, 4.19.4.

5) The toilet is inaccessible because the flush control is mounted on the closed side. Provide a flush control mounted on the “open” side of the toilet’s clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.22.4, 4.16.5, 4.27.4.

6) The toilet paper dispenser is too high. Provide a toilet paper dispenser that is mounted with its top at least 1 1/2 inches under the side grab bar and 36 inches or less from the rear wall and is centered at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30(d).

7) There is no rear grab bar provided. Provide a rear grab bar that is at least 36 inches in overall length, with the closer end no more than 6 inches from the side wall; mounted 33 to 36 inches above the finished floor; with a diameter between 1 1/4 and 1 1/2 inches; with 1 1/2 inches between the grab bar and the wall; and at least 1 1/2 inches between the grab bar and any other object, such as a toilet seat cover dispenser. Standards §§ 4.1.3(11), 4.22.4, 4.17.6, 4.26.2, Fig. 30.

8) There is no side grab bar provided. Provide a side grab bar that is at least 40 inches in overall length, with the far end mounted at least 52 inches from the rear wall and the closer end 12 inches or less from the rear wall; mounted 33 to 36 inches above the finished floor; with a diameter between 1 1/4 and 1 1/2 inches; with 1 1/2 inches between the grab bar and the wall; and at least 1 1/2 inches between the grab bar and any other object, such as the toilet paper dispenser. Standards §§ 4.1.3(11), 4.22.4, 4.17.6, 4.26.2, Figs. 30(a), (d).

P. Men’s Toilet Room with Stalls - Show Barn

1) The toilet room sign is mounted on the door. Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.

2) The toilet room door is inaccessible because the pressure required to open the door is 11 pounds. Provide a door that requires no more than 5 pounds of force to open. Standards §§ 4.1.3(7)(b), 4.13.11(2)(b).

3) The toilet room door is inaccessible because knob hardware is used. Provide a door with hardware that is easy to grasp with one hand and that does not require tight grasping, pinching, or twisting of the wrist to operate. Lever-operated mechanisms, push-type mechanisms, and U-shaped handles are acceptable designs. Standards §§ 4.1.3(7)(b), 4.13.9.

4) The door to the toilet room is inaccessible because there is a 1 inch change of level within the clear floor space. Provide a door so that the floor or ground area

within the required clearances is level and clear. Standards §§ 4.1.3(7)(a), 4.13.6, Fig. 25.

5) The paper towel dispenser is mounted at 63 inches above the finished floor. Provide a paper towel dispenser with the controls a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6, Fig. 4

6) The door to the stall is inaccessible because the hardware requires twisting of the wrist. Provide a door with a clear opening at least 32 inches wide when measured from the face of the door to the opposite stop when the door is opened 90 degrees and with hardware usable with one hand and without tight grasping, pinching, or twisting of the wrist. Lever-operated, push-type, and U-shaped handles are acceptable designs. Standards §§ 4.1.3(11), 4.22.2, 4.13.5, 4.13.9.

7) The dressing room bench in the toilet room is 22 inches by 88 inches. Provide a 24 inch by 48 inch bench fixed to the wall along the bench's longer dimension. Ensure that the bench has sufficient structural strength and is mounted with its surface between 17 inches and 19 inches above the finished floor. Provide clear floor space alongside the bench to allow a person using a wheelchair to make a parallel transfer onto the bench. Standards §§ 4.1.3(21), 4.35.4, 4.26.3.

8) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.22.6, 4.19.4.

9) The toilet is inaccessible because there is insufficient clear floor space. Provide clear floor space that complies with Fig. 30 at the toilet. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30.

10) The toilet is inaccessible because its centerline is 15 inches from the side wall. Provide a toilet with a centerline that measures 18 inches from the near side wall. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30.

11) The toilet is inaccessible because the flush control is on the closed side. Provide a flush control mounted on the "open" side of the toilet's clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.22.4, 4.16.5, 4.17.2, 4.27.4.

12) No accessible coat hook has been provided. Provide a coat hook at a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(12)(a), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.

13) The toilet paper dispenser is mounted above the side grab bar. Provide a toilet paper dispenser that is mounted with its top at least 1 1/2 inches under the side grab bar and 36 inches or less from the rear wall and is centered at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30(d).

14) There is no rear grab bar provided. Provide a rear grab bar that is at least 36

inches in overall length, with the closer end no more than 6 inches from the side wall; mounted 33 to 36 inches above the finished floor; with a diameter between 1 1/4 and 1 1/2 inches; with 1 1/2 inches between the grab bar and the wall; and at least 1 1/2 inches between the grab bar and any other object, such as a toilet seat cover dispenser. Standards §§ 4.1.3(11), 4.22.4, 4.17.6, 4.26.2, Fig. 30.

15) Shower Stall

a. The shower in the men's room is inaccessible because of the 3 inch curb at the entrance, the shower size, the location of the shower head, and the inaccessible controls. On an accessible route, provide a shower in this room that is exactly 36 inches wide and 36 inches deep with a 48 inch long and 36 inch wide clear floor space alongside the shower opening, and an L-shaped shower seat mounted on the wall opposite the controls and extending the full depth of the stall. For shower stalls 36 inch by 36 inch, provide a curb at the shower entrance that is no higher than a 1/2 inch; OR a shower that is at least 30 inches deep and 60 inches wide with no curb or threshold and with a 36 inch deep and 60 inch wide clear floor space at the shower opening. Ensure that the shower has grab bars, controls, a shower spray unit, and a seat, curb, and enclosure, if provided, that comply fully with the Standards and with Figs. 35, 36, and 37, as applicable. Standards §§ 4.1.3(11), 4.21, Figs. 35, 36, 37.

Q. Women's Toilet Room with Stalls - Show Barn

1) The toilet room sign is mounted on the door. Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.

2) The toilet room door is inaccessible because the pressure required to open the door is 12 pounds. Provide a door that requires no more than 5 pounds of force to open. Standards §§ 4.1.3(7)(b), 4.13.11(2)(b).

3) The toilet room door is inaccessible because knob hardware is used. Provide a door with hardware that is easy to grasp with one hand and that does not require tight grasping, pinching, or twisting of the wrist to operate. Lever-operated mechanisms, push-type mechanisms, and U-shaped handles are acceptable designs. Standards §§ 4.1.3(7)(b), 4.13.9.

4) The door to the toilet room is inaccessible because there is a 1 inch change of level within the clear floor space. Provide a door so that the floor or ground area within the required clearances is level and clear. Standards §§ 4.1.3(7)(a), 4.13.6, Fig. 25.

5) The paper towel dispenser is mounted at 64 inches above the finished floor. Provide a paper towel dispenser with the controls a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6, Fig. 4

6) The sanitary napkin dispenser is inaccessible because it is mounted at 56 inches above the finished floor over the dressing room bench. Provide a dispenser such that the controls comply with Fig. 5 for a forward reach or with Fig. 6 for a side reach and such that it is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach, respectively, by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6.

7) The door to the stall is inaccessible because the hardware requires pinching of the wrist. Provide a door with hardware usable with one hand and without tight grasping, pinching, or twisting of the wrist. Lever-operated, push-type, and U-shaped handles are acceptable designs. Standards §§ 4.1.3(11), 4.22.2, 4.13.5, 4.13.9.

8) The dressing room bench in toilet room is 22 inches by 88 inches. Provide a 24 inch by 48 inch bench fixed to the wall along the bench's longer dimension. Ensure that the bench has sufficient structural strength and is mounted with its surface between 17 inches and 19 inches above the finished floor. Provide clear floor space alongside the bench to allow a person using a wheelchair to make a parallel transfer onto the bench. Standards §§ 4.1.3(21), 4.35.4, 4.26.3.

9) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.22.6, 4.19.4.

10) The toilet is inaccessible because there is insufficient clear floor space. Provide clear floor space that complies with Fig. 30 at the toilet. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30.

11) The toilet is inaccessible because its centerline is 15 inches from the side wall. Provide a toilet with a centerline that measures 18 inches from the near side wall. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30.

12) The toilet is inaccessible because the flush control is on the closed side. Provide a flush control mounted on the "open" side of the toilet's clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.22.4, 4.16.5, 4.17.2, 4.27.4.

13) No accessible coat hook has been provided. Provide a coat hook at a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(12)(a), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.

14) The toilet paper dispenser is mounted above the side grab bar. Provide a toilet paper dispenser that is mounted with its top at least 1 1/2 inches under the side grab bar and 36 inches or less from the rear wall and is centered at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30(d).

15) There is no rear grab bar provided. Provide a rear grab bar that is at least 36 inches in overall length, with the closer end no more than 6 inches from the side wall; mounted 33 to 36 inches above the finished floor; with a diameter between 1 1/4 and 1 1/2 inches; with 1 1/2 inches between the grab bar and the wall; and

at least 1 1/2 inches between the grab bar and any other object, such as a toilet seat cover dispenser. Standards §§ 4.1.3(11), 4.22.4, 4.17.6, 4.26.2, Fig. 30.

16) Shower Stall

a. The shower in women's room is inaccessible because of the 3 inch curb at the entrance, the shower size, the location of the shower head, and the inaccessible controls. On an accessible route, provide a shower in this room that is exactly 36 inches wide and 36 inches deep with a 48 inch long and 36 inch wide clear floor space alongside the shower opening, and an L-shaped shower seat mounted on the wall opposite the controls and extending the full depth of the stall. For shower stalls 36 inch by 36 inch, provide a curb at the shower entrance that is no higher than a 1/2 inch; OR a shower that is at least 30 inches deep and 60 inches wide with no curb or threshold and with a 36 inch deep and 60 inch wide clear floor space at the shower opening. Ensure that the shower has grab bars, controls, a shower spray unit, and a seat, curb, and enclosure, if provided, that comply fully with the Standards and with Figs. 35, 36, and 37, as applicable. Standards §§ 4.1.3(11), 4.21, Figs. 35, 36, 37.

R. Men's Toilet Room with Stalls - Indoor Arena

1) The toilet room sign is mounted on the door. Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.

2) The paper towel dispenser is mounted at 62 inches above the finished floor. Provide a paper towel dispenser with the controls a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6, Fig. 4

3) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.22.6, 4.19.4.

4) The toilet is inaccessible because the flush control is on the closed side. Provide a flush control mounted on the "open" side of the toilet's clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.22.4, 4.16.5, 4.17.2, 4.27.4.

5) No accessible coat hook has been provided. Provide a coat hook at a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(12)(a), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.

6) The toilet paper dispenser is mounted above the side grab bar. Provide a toilet paper dispenser that is mounted with its top at least 1 1/2 inches under the side grab bar and 36 inches or less from the rear wall and is centered at least 19 inches above the finished floor. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30(d).

7) There is no rear grab bar provided. Provide a rear grab bar that is at least 36 inches in overall length, with the closer end no more than 6 inches from the side wall; mounted 33 to 36 inches above the finished floor; with a diameter between 1 1/4 and 1 1/2 inches; with 1 1/2 inches between the grab bar and the wall; and at least 1 1/2 inches between the grab bar and any other object, such as a toilet seat cover dispenser. Standards §§ 4.1.3(11), 4.22.4, 4.17.6, 4.26.2, Fig. 30.

S. Women's Toilet Room with Stalls - Indoor Arena

1) The toilet room sign is mounted on the door. Provide a toilet room sign with the International Symbol of Accessibility and raised and Braille characters. The sign shall be mounted on the wall adjacent to the latch side of the door with the centerline of the sign at 60 inches above the finished floor and situated such that a person can approach within 3 inches of the sign without encountering an obstruction or standing within a door swing. Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.

2) The paper towel dispenser is mounted at 63 inches above the finished floor. Provide a paper towel dispenser with the controls a maximum height above the finished floor of 48 inches for a forward approach or 54 inches for a side approach and that is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6, Fig. 4

3) The sanitary napkin dispenser is inaccessible because it is mounted at 58 inches above the finished floor. Provide a dispenser such that the controls comply with Fig. 5 for a forward reach or with Fig. 6 for a side reach and such that it is accompanied by clear floor space of 30 by 48 inches that allows a forward or parallel approach, respectively, by a person using a wheelchair. Standards §§ 4.1.3(13), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6.

4) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. Provide hot water and drain pipes that are insulated or otherwise configured to protect against contact. Standards §§ 4.1.3(11), 4.22.6, 4.19.4.

5) The toilet is inaccessible because its centerline is 16 inches from the side wall. Provide a toilet with a centerline that measures 18 inches from the near side wall. Standards §§ 4.1.3(11), 4.22.4, 4.17.3, Fig. 30.

6) The toilet is inaccessible because the flush control is on the closed side. Provide a flush control mounted on the "open" side of the toilet's clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. Standards §§ 4.1.3(11), 4.22.4, 4.16.5, 4.17.2, 4.27.4.

7) There is no rear grab bar provided. Provide a rear grab bar that is at least 36 inches in overall length, with the closer end no more than 6 inches from the side wall; mounted 33 to 36 inches above the finished floor; with a diameter between 1 1/4 and 1 1/2 inches; with 1 1/2 inches between the grab bar and the wall; and

at least 1 1/2 inches between the grab bar and any other object, such as a toilet seat cover dispenser. Standards §§ 4.1.3(11), 4.22.4, 4.17.6, 4.26.2, Fig. 30.

5. Within 2 years of the effective date of this Agreement, Washington County, Utah will complete the following modifications to the Washington County Administration Building - 197 East Tabernacle: Existing 1966.

A. The Men's and Woman's toilet rooms with stalls located on the main level of the Administration Building are inaccessible. There is no signage directing people with disabilities to the accessible toilet rooms. Provide accessible directional signage with the International Symbol of Accessibility at inaccessible toilet rooms indicating the location of the nearest accessible toilet room, and provide accessible signage with the International Symbol of Accessibility at all accessible toilet rooms. Standards §§ 4.1.2(7)(d), 4.1.6(3)(e) (iii), 4.30.1, 4.30.2, 4.30.3, 4.30.5, 4.30.7.

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