

# ADA Compliance: Local Parks -- No. 128701

Category  
Subcategory  
Administering Agency  
Planning Area

**M-NCPPC**  
**Development**  
**M-NCPPC**  
**Countywide**

Date Last Modified  
Required Adequate Public Facility  
Relocation Impact  
Status

**November 10, 2010**  
**No**  
**None.**  
**Planning Stage**

### EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY10	Rem. FY10	Total 6 Years	FY11	FY12	FY13	FY14	FY15	FY16	Beyond 6 Years
Planning, Design, and Supervision	500	0	0	500	0	100	100	100	100	100	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	1,200	0	0	1,200	0	0	150	250	350	450	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>1,700</b>	<b>0</b>	<b>0</b>	<b>1,700</b>	<b>0</b>	<b>100</b>	<b>250</b>	<b>350</b>	<b>450</b>	<b>550</b>	<b>*</b>

### FUNDING SCHEDULE (\$000)

Park and Planning Bonds	1,700	0	0	1,700	0	100	250	350	450	550	0
<b>Total</b>	<b>1,700</b>	<b>0</b>	<b>0</b>	<b>1,700</b>	<b>0</b>	<b>100</b>	<b>250</b>	<b>350</b>	<b>450</b>	<b>550</b>	<b>0</b>

#### DESCRIPTION

This program provides for an on-going comprehensive effort to ensure that all local parks and park facilities are built and maintained in compliance with Title II of the Americans with Disabilities Act (ADA) and the ADA Accessibility Guidelines (ADAAG) standards. This program includes both the correction of deficiencies identified by the United States Department of Justice (DOJ) during its proactive Project Civic Access (PCA) assessment of 15 local park facilities, as well as efforts to comply with the revisions to Title II of the ADA, which will go into effect on March 15, 2011.

This program also includes policy development and advanced technical training for Department of Parks' architects and engineers to ensure that ADA compliance and accessibility are incorporated throughout the park system's planning, design and construction processes in order to ensure that parks and park facilities comply with the new revisions to Title II of the ADA.

New Title II requirements include revisions to the existing 1991 ADAAG and additional standards for facilities not addressed in the 1991 ADAAG including swimming pools, recreational facilities, and playgrounds.

#### JUSTIFICATION

Montgomery County was selected by the DOJ for a Project Civic Access (PCA) review in 2006. PCA is a proactive, ongoing initiative of the Disability Rights Section (DRS) of the DOJ Civil Rights Division to ensure ADA compliance in local and state governments throughout the Country. DOJ has completed reviews and signed settlement agreements with over 150 districts to date. DOJ has inspected over 112 County facilities, including 15 local parks that fall under the M-NCPPC's jurisdiction. Montgomery County received a draft settlement agreement from DOJ in March 2009 and is now negotiating a legally binding settlement to address the findings, both those related to buildings and other facilities and those related to policies. This agreement will require the County and its agencies to remediate any problems identified by DOJ within a negotiated timeline and to place assurances for self assessing and remediation for the future, including efforts to comply with the new Title II requirements.

On September 15, 2010, DOJ approved revisions to Title II of the ADA, which impact park and recreational facilities such as swimming pools, recreation facilities, and playgrounds. Local and State governments will be required to comply with these revisions, which will go into effect on March 15, 2011; full compliance is required by March 15, 2012. The revised Title II of the ADA requires local and state governments, within one year of the effective date of the Act, to conduct a self-evaluation of constructed and altered facilities built between July 1992 and September 2010 for compliance with the 1991 ADA standards.

#### OTHER DISCLOSURES

- \* Expenditures will continue indefinitely.

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP												
<table border="1"> <tr> <td>Date First Appropriation</td> <td>FY12</td> <td>(\$000)</td> </tr> <tr> <td>First Cost Estimate</td> <td></td> <td></td> </tr> <tr> <td>Current Scope</td> <td>FY12</td> <td>1,700</td> </tr> <tr> <td>Last FY's Cost Estimate</td> <td></td> <td>0</td> </tr> </table>	Date First Appropriation	FY12	(\$000)	First Cost Estimate			Current Scope	FY12	1,700	Last FY's Cost Estimate		0	United States Department of Justice Department of Health and Human Services Department of Transportation County Attorney's Office Montgomery County Public Schools Revenue Authority Department of General Services ADA Compliance: Non-Local Parks, PDF 128702	
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