

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 02, 2011
No
None
On-going

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY11	Est. FY12	Total 6 Years	FY13	FY14	FY15	FY16	FY17	FY18	Beyond 6 Years
Planning, Design, and Supervision	700	0	100	600	100	100	100	100	100	100	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	2,100	0	0	2,100	150	250	350	450	450	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
Total	2,800	0	100	2,700	250	350	450	550	550	550	*

FUNDING SCHEDULE (\$000)

Park and Planning Bonds	2,800	0	100	2,700	250	350	450	550	550	550	0
Total	2,800	0	100	2,700	250	350	450	550	550	550	0

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 went 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.

THE 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.

COST CHANGE

Increase due to the addition of FY17 and FY18 to this ongoing project.

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 as of 2011. DOJ has inspected over 112 County facilities, including 15 local parks that fall under the M-NCPPC's jurisdiction. Montgomery County and M-NCPPC entered into a settlement agreement with DOJ on August 16, 2011. This agreement requires the County and M-NCPPC 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 ARE required to comply with these revisions, which went 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 all parks.

OTHER DISCLOSURES

- * Expenditures will continue indefinitely.

APPROPRIATION AND EXPENDITURE DATA		
Date First Appropriation	FY12	(\$000)
First Cost Estimate	FY12	1,700
Current Scope		
Last FY's Cost Estimate		1,700
Appropriation Request	FY13	250
Appropriation Request Est.	FY14	350
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		100
Expenditures / Encumbrances		0
Unencumbered Balance		100
Partial Closeout Thru	FY10	0
New Partial Closeout	FY11	0
Total Partial Closeout		0

COORDINATION
United States Department of Justice
County Attorney's Office
Department of General Services
ADA Compliance: Non-Local Parks, PDF 128702

