

Public Right-of-Way Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan



Appendix B1

Public Notice of ADA Provisions

Prepared by
Transportation Solutions, Inc





City of Aberdeen

Public Notice Under the Americans with Disabilities Act



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

Employment: The City of Aberdeen 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 ADA.

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

Modifications to Policies and Procedures: The City of Aberdeen will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in City of Aberdeen 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 program, service, or activity of the City of Aberdeen should contact the office of the ADA/504 Coordinator, c/o the Human Resources Director, by email at adacoordinator@aberdeenwa.gov or by phone at (360) 537-3207 as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City of Aberdeen 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 program, service, or activity of the City of Aberdeen is not accessible to persons with disabilities should be directed to the ADA/504 Coordinator, c/o the Human Resources Director, by email at adacoordinator@aberdeenwa.gov or by phone at (360) 537-3207.

The City of Aberdeen 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.

For TTY (text to telephone), dial 7-1-1.

Public Right-of-Way

Americans with Disabilities Act (ADA)

Self-Evaluation and Transition Plan



Appendix B2

ADA Grievance Procedure and Forms

Prepared by
Transportation Solutions, Inc





City of Aberdeen

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 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Aberdeen. The City of Aberdeen's Personnel Policy governs employment-related complaints of disability discrimination.

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

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

ADA/504 Coordinator
City of Aberdeen Human Resources Director
360-537-3207
TTY: 7-1-1 or 1-800-833-6388
Email: adacoordinator@aberdeenwa.gov

Within 15 calendar days after receipt of the complaint, the ADA/504 Coordinator or their designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA/504 Coordinator or their designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio recording. The response will explain the position of the City of Aberdeen and offer options for substantive resolution of the complaint.

If the response by the ADA/504 Coordinator or their designee does not satisfactorily resolve the issue, the complainant and/or their designee may appeal the decision within 15 calendar days after receipt of the response to the City's Legal Department.

Within 15 calendar days after receipt of the appeal, the City's Mayor or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City's Mayor or their designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA/504 Coordinator or their designee, appeals to the City's Mayor or their designee, and responses from these two offices will be retained by the City of Aberdeen for at least three years.



City of Aberdeen - ADA Grievance Form

Complainant Name:

Designee Preparing Grievance (if different from Complainant):

Designee's Relationship to Complainant:

Street Address & Apt. No.:

City: _____ State: _____ Zip: _____

Phone: () _____ E-mail: _____

Preferred contact method to discuss grievance:

Please provide a complete description of the specific grievance:

Please specify any location(s) related to the grievance (if applicable):

Please state what you think should be done to resolve the grievance:

Please attach additional pages as needed.

Please do not contact me personally.

Signature: _____ Date: _____

Return to: City of Aberdeen, ADA/504 Coordinator, c/o Human Resources Director, 200 E Market Street, Aberdeen, WA 98520 or email to adacoordinator@aberdeenwa.gov.

Upon request, reasonable accommodation will be provided to complete this form, or copies of the form will be provided in alternative formats. Contact ADA/504 Coordinator c/o Human Resources Director, at the address listed above, by e-mail to adacoordinator@aberdeenwa.gov, or by telephone at 360-537-3207 or 7-1-1 (TTY, text to telephone, through Washington Telecommunication Relay Service).



City of Aberdeen - ADA Grievance Appeal Form

Complainant Name:

Designee Preparing Grievance (if different from Complainant):

Designee's Relationship to Complainant:

Street Address & Apt. No.:

City: _____ State: _____ Zip: _____

Preferred contact method to discuss grievance:

PLEASE PROVIDE A DETAILED EXPLANATION OF WHY YOU BELIEVE THE RESPONSE FROM THE CITY'S ADA COORDINATOR DID NOT SATISFACTORILY RESOLVE YOUR GRIEVANCE (Please attach a complete copy of your initial grievance and the response resolution letter from the City's ADA Coordinator):

APPEAL REMEDY REQUESTED:

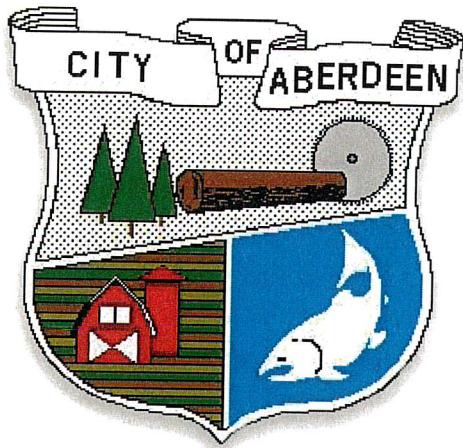
Please attach additional pages as needed.

Signature: _____ Date: _____

Return to: City of Aberdeen, ADA/504 Coordinator, c/o Human Resources Director, 200 E Market Street, Aberdeen, WA 98520 or email to adacoordinator@aberdeenwa.gov.

Upon request, reasonable accommodation will be provided to complete this form, or copies of the form will be provided in alternative formats. Contact ADA/504 Coordinator c/o Human Resources Director, at the address listed above, by e-mail to adacoordinator@aberdeenwa.gov, or by telephone at 360-537-3207 or 7-1-1 (TTY, text to telephone, through Washington Telecommunication Relay Service).

Public Right-of-Way Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan



Appendix B3

2025 Accessible Pedestrian Signal (APS) Policy

Prepared by
Transportation Solutions, Inc





Policy Regarding Installation of Accessible Pedestrian Signals (APS)

Intent: Under Title II of the Americans with Disabilities Act (ADA), state and local governments are obligated to provide "effective communication" for those using or accessing public programs, services, and activities. For pedestrians living with visual and/or hearing impairments, audible and vibrotactile communication may be provided by means of Accessible Pedestrian Signals (APS) at signalized intersections. These signals can provide information in an "effective" or accessible format to assist in making signalized street crossings easier to use for all pedestrians.

In addition, state and local governments are obligated to make public programs, services, and activities accessible to those living with disabilities when existing facilities are altered or when new facilities are constructed.

It is the City's intention to be consistent with the most current version of the Manual on Uniform Traffic Control Devices (MUTCD) and the Public Right of Way Access Guidelines (PROWAG) in the provision and location of accessible pedestrian signals and pushbuttons. Further guidance is available in 28 CFR Part 36.

Purpose: The purpose of this policy is to establish a reasonable and consistent policy for installing APS to ensure that access for persons with disabilities is provided. This policy defines under what circumstances APS devices will be provided when an existing traffic signal or beacon is altered or a new traffic signal or beacon is installed within the jurisdiction of the City of Aberdeen.

Scope: Both the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act of 1990 require that facilities, programs, and services be accessible to persons with disabilities. Both require that all new construction and alterations be accessible to persons with disabilities. This requirement means that pedestrian signals or beacons in new construction and alterations must be accessible to persons with disabilities, including vision impairment, hearing impairment, cognitive impairment, and mobility impairment.

Pedestrian signals are required to communicate WALK signal information in both audible and vibrotactile modes so they are usable by pedestrians with vision impairment and hearing impairment. Pushbuttons to actuate pedestrian signals must be able to be located by persons with vision impairments and able to be actuated by persons with mobility impairments.

Rectangular Rapid Flashing Beacons (RRFBs) should not have a vibrotactile walk indication, as these would falsely convey to a pedestrian who is blind or has low vision that the traffic has been stopped by a traffic control device. Instead, a speech message should state the status of the beacon, such as "the beacon is flashing," or an audible chirp that can be heard within ten feet may also be used, which is consistent with the visual indications of the device. An RRFB is not useful to a person who is blind or who has low vision without a speech message. The pedestrian actuated button of the RRFB should also meet reach and pole placement requirements (as is the case for APS pushbuttons) to provide access to persons in mobility devices.

Applicability: This policy applies equally to new construction and alterations performed or required by either the City or private developers.

A. New Traffic Signals and Pedestrian Actuated Signals (Pedestrian Signals and Pedestrian Beacons): All new traffic signals and pedestrian actuated signals (pedestrian signals and pedestrian beacons) are to be constructed with APS per the MUTCD and the WSDOT LAG Manual.



B. Existing Signals: For existing signal systems only, the requirement for installation of APS is determined as follows:

- 1. Existing Traffic Signals, Pedestrian Signals, and Pedestrian Hybrid Beacons:** Installation of APS is not required unless specifically requested by the public through the City's citizen action request process, other adopted request process, or ADA Grievance, and is determined to be consistent with the MUTCD and necessary for accommodation under a thorough review of the ADA by the City of Aberdeen.
- 2. Existing Pedestrian Warning Beacons:** Installation of APS is not required unless specifically requested by the public through the City's citizen action request process, other adopted request process, or ADA Grievance and is determined to be consistent with the MUTCD and necessary for accommodation under a thorough review of the ADA by the City of Aberdeen.

C. Alterations¹ to Existing Signals, Pedestrian Signals, and Pedestrian Hybrid Beacons

1. Traffic Signal Alterations

- a.** The alteration of a traffic signal that adds vehicle or pedestrian phases, (excluding overlaps, flashing yellow arrows, or leading pedestrian intervals) will require installation of APS including curb ramps if necessary.
- b.** Any traffic signal alteration that is a result of roadway modifications that add additional traffic lanes will require the installation of APS including curb ramps.

2. Pedestrian Actuated Signal Alterations (Pedestrian Signals, Pedestrian Hybrid Beacons, and Pedestrian Warning Beacons): The alteration of a pedestrian signal that modifies the operation of the display system will require installation of APS including curb ramps if necessary.

D. Traffic Signal, Pedestrian Signal, and Pedestrian Hybrid Beacon Maintenance Activities: Routine maintenance including replacing like-for-like equipment (signal displays, controllers, or poles) with no operational changes to the traffic signal display or control system will not require installation of APS.

E. Traffic Signal, Pedestrian Signal, and Pedestrian Hybrid Beacon Emergency Repairs: Emergency repairs replacing like-for-like equipment with no operational changes to the traffic signal will not require installation of APS.

F. Curb Ramp Alterations: Replacement or construction of curb ramps only at existing signalized intersections, pedestrian hybrid beacons, and pedestrian warning beacons shall not require concurrent installation of APS, however, the pedestrian pushbutton pole locations for the new ramp(s) shall be consistent with requirements for APS installation in the future. This may require installation or relocation of pedestrian pushbutton poles in addition to the curb ramp(s). Receiving ramps will be upgraded to current enforceable ADA standards and meet the APS requirements stated in this Section F above.

G. Requests from the Public: If the City receives a request through its citizen action request, other adopted request process, or ADA Grievance, for the installation of a new traffic signal, pedestrian actuated signal, pedestrian hybrid beacon or pedestrian warning beacon at a location where no facility exists, the City will go through a process, to include an assessment consistent with the MUTCD as determined by the City, to determine how, if, and/or when it can add the requested facility to the City's Public Right-of-Way ADA Transition Plan, Capital Facilities Plan and budget.



H. Grievances/Complaints: Any individual who believes that they are a victim of discrimination, prohibited by Title II, may file an ADA grievance/complaint with the City of Aberdeen. Grievances/complaints on behalf of classes of individuals are also permitted. Information on how to file an ADA grievance/complaint is available from the City's [Grievance Procedure](#) posted on the City's website.

I. Relevant Legal Authority and Best Practices:

- *Americans with Disabilities Act of 1990* (ADA) (42 USC § 12101 et seq.) (28 Code of Federal Regulations [CFR] Part 35, Appendix A, as revised July 1, 1994, as amended September 25, 2008).
- 29 U.S.C. 794d, as amended by the Workforce Investment Act of 1998 (P.L. 105-220), August 7, 1998, Section 508 of the *Rehabilitation Act of 1973*.
- 49 CFR Part 27 Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance (Authority: Section 504 of the *Rehabilitation Act of 1973*, as amended 29 USC § 794).
- 2023 Manual on Uniform Traffic Control Devices (MUTCD), when adopted by WSDOT Sections 4K-4L
- Public Right of Way Accessibility Guidelines (PROWAG). These are current best practices but not yet the enforceable standard as of April 2025.
 - R206 Accessible Pedestrian Signals and Pedestrian Pushbuttons
 - R307 Pedestrian Pushbuttons and Passive Pedestrian Detection
 - R308 Accessible Pedestrian Signal Walk Indications

Approved by:

Rick Sander

12/12/25

Rick Sander
Public Works Director

Date

¹**WSDOT LAG Manual Definition – Alterations.** The vast majority of construction projects undertaken by local agency public works/ transportation departments are classified as alterations. An alteration is a change that affects or could affect the usability of a facility or part of a facility. Alterations include reconstruction, major rehabilitation, widening, resurfacing (e.g., asphalt overlays and mill and fill), signal installation and upgrades, and projects of similar scale and effect. Alterations to existing facilities shall meet new construction standards unless it is technically infeasible to do so. If full ADA compliance cannot be achieved in an alteration, the agency shall alter the facility to provide the maximum degree of accessibility possible. The feasibility meant by this standard is physical possibility only. Neither cost nor schedule are factors in determining whether the ADA standards can be met, nor are they factors in determining the feasibility of complying with the standard. An alteration project shall be planned, designed, and constructed so that the required accessibility improvements occur at the same time as the alteration. If a project involves resurfacing the street, connections between the sidewalk and street crossings (i.e., curb ramps) are considered to be within the scope of the alteration project. Any accessibility issues shall be addressed in conjunction with the resurfacing project, either prior to or at the same time as the resurfacing project. For the requirements for curb ramps during resurfacing projects, see USDOJ-USDOT's Joint Technical Assistance document, dated July 8, 2013 and the Supplement to this document, dated December 1, 2015; and a FHWA recorded webinar from FHWA, dated March 1, 2016.