



# CITY OF CHATTANOOGA

## ADA SELF-EVALUATION & TRANSITION PLAN

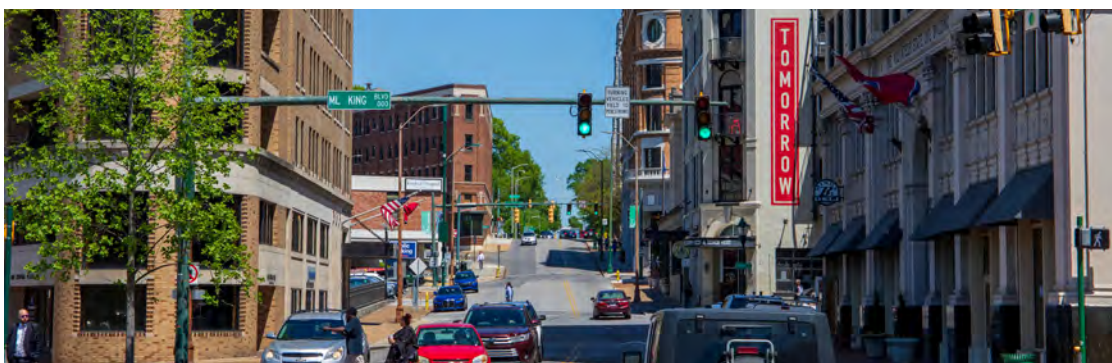


Cole & Associates, Inc., Life Quest, Access by Design, and Ragan-Smith performed the ADA Self-Evaluation, on behalf of the City of Chattanooga. The consultants and the City contributed to the content of the ADA Self-Evaluation & Transition Plan. Cole was responsible for the oversight of the project, in front of the design, and drafting of the formal report.

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# 1. EXECUTIVE SUMMARY

## Background

The City of Chattanooga is a vibrant community located in southeast Tennessee. It has a population of over 180,000 people and the City takes pride in providing access to its many community assets, not only through vehicular access, but also through its connected sidewalk network, pedestrian and bike trails, on-street parking facilities, and an extensive transit system. The City works to ensure equal opportunity for residents and visitors to the City of Chattanooga. As a result, the City has long established programs to provide a strong foundation for implementation of accessibility recommendations. The City of Chattanooga has various departments that are responsible for planning for people with disabilities. The City's policies and processes in this arena are influenced by the American's with Disability Act (ADA).

The Americans with Disabilities Act (ADA) became effective in 1991. It is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and places that are open to the public. The purpose of the law is to make sure that people with disabilities have the same rights and opportunities as everyone else. The ADA was passed to prohibit discrimination against people with disabilities. Title II of The ADA requires that public agencies maintain an ADA Self-Evaluation and Transition Plan which details barriers identified and communicates an action plan for improving accessibility.

## 1.1 Report & Project Overview

This report serves as an overview of the project that was conducted in Phase I of the Self-Evaluation and update to the City's Transition Plan. The project has been led by a multi-disciplined consultant with national expertise in ADA compliance review, ADA Self-Evaluation and Transition Planning, design, and construction for public agencies. This plan was developed so the City can identify and work toward removing obstacles that limit access by people with disabilities to its programs, activities, and services as required by the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act.

The regulations of the ADA require the following information be contained within the ADA Transition Plan:

- An inventory of barriers or a self-evaluation
- A schedule for removing the barriers
- A description of the methods to be used to remove the barriers
- Public involvement
- Identification of the ADA Coordinator and the official responsible for implementation of the plan
- Complaint and grievance policy

As a result, the City has conducted a multi-phase evaluation of its programs and facilities to determine the extent to which individuals with disabilities may be restricted of their access to City services, programs, activities, and facilities.

Phase 1 included the evaluation of thirty-two (32) individual buildings, park facilities, and trails throughout the City of Chattanooga (see Section 3 for information on these locations). Phase 1 of the project also evaluated the public right-of-way facilities for the area near and around downtown Chattanooga, policies & procedures for the City's departments, and website accessibility.

The consultant worked in concert with the City to customize the approach in data collection, prioritization, cost estimating, implementation, and long-term data management to improve accessibility over time. The public right-of-way data is being collected using GIS and innovative technology to quickly and thoroughly evaluate barriers to access for sidewalks, curb ramps, pedestrian signals, and transit stops. Parking is being evaluated for the required quantity and technical specifications. City buildings undergo a thorough review from pedestrian access routes, through doorways, service counters, drinking fountains, restrooms, signage, and more. The features being evaluated in parks include playground elements, picnic tables and grills, and accessible routes. The data is being collected and analyzed for conflicts under the required standards and recommended guidelines.

Prioritizing conflicts are an important element of the transition plan. Severity ranking is established based on the level of non-compliance and the impact of the barriers on the traveling public. Knowing what the challenges are and where they are located is only part of the information needed to have a plan. The City established a public outreach strategy to ensure members of the community, especially those with disabilities, have an opportunity to be involved in the decision making. Through public information sessions and survey options, the City evaluated input about the locations that are frequently visited and allowed the public to assist in developing the prioritization to these locations. An activity score was established based on public use and proximity to public facilities. These priorities, along with the severity rankings, are combined to develop a final impedance score that is being used to identify areas of high, medium, and low priority. With this knowledge, the City can better plan to address areas with the most egregious problems balanced with the areas of highest use and importance.

It is the intent of the City to address barriers to accessibility through on-going projects and by prioritization, contingent upon City Council approval, depending on the immediate necessity, degree of complexity, and overall cost. See Section 6.4 for the Implementation Schedule.

The City of Chattanooga reserves the right to modify barrier removal priorities to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, changes in City programs, on-going evaluations, funding constraints, and funding opportunities.

Another important element of a Transition Plan is knowing who to contact if a person has questions about accessing City amenities. The City of Chattanooga ADA Coordinator is responsible for ensuring that Chattanooga programs, services, and activities are accessible to and usable by individuals with disabilities (see Section 6.1). The ADA Notice and Grievance Procedure is included in this report (see Section 7) and may also be found on-line at: <https://chattanooga.gov/accessibility>.



## 2. Introduction

Chattanooga has conducted an updated ADA Self-Evaluation and Transition Plan. This report will detail the process and schedule for accessibility improvements. This report affirms the City's on-going commitment to remove barriers over a period of time, pending City Council approval, and provides inclusive access to Chattanooga's citizenry in its policies, programs, services, communications, parks, facilities, and public rights-of-way.

This report summarizes the City of Chattanooga's ADA Self-Evaluation and Transition Planning process that is being conducted in accordance with the Americans with Disabilities Act (ADA).

It includes the following information:

- ADA Coordinator contact information;
- Standards and process to evaluate accessibility and non-discrimination efforts;
- Responsible parties to address accessibility and discrimination complaints;
- Prioritization methods;
- Public involvement activities;
- Typical barriers to services including physical assets such as intersections, sidewalks, signals, bus stops, parks, multi-use trails, buildings, and parking;
- Recommendations to improve accessibility

## 2.1 Federal Accessibility Requirements

A Self-Evaluation and Transition Plan of scheduled changes is required by the following:

### Section 504 of the Rehabilitation Act of 1973 (Section 504)

This regulation applies to organizations receiving federal funds. Programs and services are to be available, without discrimination, to people with disabilities. Various other federal and state entities require the plan as a condition of receiving federal funds, including the U.S. Department of Transportation.

### The Americans with Disabilities Act (ADA)

The ADA became law on July 26, 1990. The ADA covers a public entity's employment, programs, activities, services, communications, and facilities. The ADA adopted the prohibitions of discrimination established under Section 504. Updates to the ADA include the ADA Amendments Act of 2008 (ADAAA) and the 2010 ADA Standards for Accessible Design (2010 ADA). Other standards used in determining accessibility for sidewalks, crosswalks and more, include the draft 2011 Public Right-of-Way Accessibility Guidelines (PROWAG). While the guidelines are not yet law, they are accepted as the best guidance for public right-of-way application by federal agencies. Compliance with these updates have been included in the Self-Evaluation process.

### Background of the Federal Accessibility Requirements

The development of an ADA Self-Evaluation is a requirement of the federal regulations implementing the Rehabilitation Act of 1973, which require that all organizations receiving federal funds make their programs available, without discrimination, toward people with disabilities. The Act, which has become known as the "Civil Rights Act" of persons with disabilities, states that:

"No otherwise qualified handicapped individual in the United States shall, solely by reason of handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance (Section 504)."

Subsequently, Congress passed the Americans with Disabilities Act (ADA) on July 26, 1990. Title II of the ADA covers programs, activities, and services of public entities. The Department of Justice's (DOJ) Title II regulations adopt the general prohibitions of discrimination established under Section 504 of The Rehabilitation Act and incorporate specific prohibitions of discrimination for the ADA. Title II provides protections to individuals with disabilities that are at least equal to those provided by the nondiscrimination provisions of Title V of The Rehabilitation Act.

The ADA is a comprehensive civil rights law for persons with disabilities in both employment and the provision of goods and services. This civil rights law mandates equal opportunity for individuals with disabilities. The ADA prohibits discrimination in access to jobs, public accommodations, government services, public transportation and telecommunications. The ADA states that its purpose is to provide a "clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." Congress emphasized that the ADA seeks to dispel stereotypes and assumptions about disabilities. The law is to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for people with disabilities.

Since the original signing of the Americans with Disabilities Act, significant modifications and amendments have been made to the ADA statutes and the federal regulations implementing the ADA.

Specifically, under the ADA, public agencies may not, either directly or through contractual arrangements, do any of the following:

- Deny qualified persons with disabilities the opportunity to participate as members of advisory boards and commissions
- Deny qualified persons with disabilities the opportunity to participate in services, programs, or activities that are not separate or different from those offered to others, even if the City offers permissibly separate or different activities.
- In determining the location of facilities, make selections that have the effect of excluding or discriminating against persons with disabilities.

Title II of the ADA provides that public entities must identify and evaluate all programs, activities, and services and review all policies, practices, and procedures that govern administration of the entity's programs, activities, and services. This evaluation includes all of the public areas of the physical assets (such as facilities, buildings, parks, and streets) owned or operated by the City.

## 2.2 Federal Accessibility Requirements

The City of Chattanooga is committed to inclusion, non-discrimination, barrier removal and access.

ADA requirements for the City of Chattanooga:

- Evaluate programs, services, activities, communication and right-of ways per the ADA;
- Identify physical and other barriers that may limit access to programs and services;
- Propose potential compliance solutions;
- Determine estimated cost and the responsible party to implement solutions;
- Develop a time schedule for implementation.

Additionally, the ADA requires the City of Chattanooga to:

- Designate an ADA Coordinator responsible for overseeing compliance;
- Develop an ADA grievance procedure<sup>1</sup>;
- Maintain the Self-Evaluation and Transition Plan for public inspection for three years.

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<sup>1</sup> Chattanooga's ADA Grievance Procedure is detailed in Section 7.

## 2.3 Discrimination and Accessibility

Title II of the ADA and its related federal EEOC, DOJ, and DOT regulations link the concepts of discrimination and access, which include physical access and program access.

Physical access requires a facility to be free of barriers preventing participation. Barriers are any obstacles that prevent or restrict access to, or use of a facility, right-of-way, or park amenity as identified in ADA Title II, Section 35.149<sup>2</sup>.

Program access is defined by ADA Title II, Section 35.150(a)<sup>3</sup>. It may include physical accessibility, but also covers policies, practices, communications, and procedures. Program access requires that individuals with disabilities be provided an equally effective opportunity to participate in or benefit from programs and services. Program access may be achieved by either structural or non-structural methods. Non-structural methods include acquisition or redesign of equipment, assignment of auxiliary aids and assistance, or provision of services at alternate sites.

In general, both may be utilized to ensure program access, but there are some exceptions where existing facilities are involved. ADA Title II, Section 35.150:

- Does not require a public agency to make each existing facility accessible
- Does not require anything that impacts the historic significance of historic property
- Does not require a public agency to fundamentally alter services, programs, or activities
- Does not require a public agency to create hazardous conditions
- Does not require a public agency to incur undue financial and administrative burden
- Program access includes advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, transportation, policies, and communication

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<sup>2</sup> **ADA Title II Section 35.149** provides that “Except as otherwise provided in § 35.150, no qualified individual with a disability shall, because a public entity’s facilities are inaccessible or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, or activities of a public entity, or be subject to discrimination by any public entity.”

<sup>3</sup> **ADA Title II, Section 35.150(a) provides:** A public entity shall operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.

## 2.4 Undue Burden

While it is rare the City of Chattanooga may not be able to provide program access, there are some instances where it is permissible under the ADA. Access to each service, program, or activity is to be “viewed in its entirety.” Program access does not require each facility to be made physically accessible, in all instances. However, physical accessibility is a requirement for new facilities intended to provide City programs. The City is not required to incur undue financial or administrative burden.<sup>4</sup>

The decision that compliance would result in an undue burden must be made by the head of the public entity or his/her designee. Representing the City of Chattanooga, the Mayor or his/her designee has the authority to identify an undue burden. The decision is to be accompanied by a written statement of reasons for reaching that conclusion.

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<sup>4</sup> **Undue Burden:** The determination that an undue burden would result from actions must be based on an evaluation of all resources available for use in the matter. Chattanooga must then consider options for providing access to the program that do not incur undue burden. The determination of “Undue Burden” may not be a permanent determination and should be continuously reviewed.



## 3. City of Chattanooga's Self-Evaluation Scope

Title II of the ADA provides that public entities must identify and evaluate all programs, activities, and services and review all policies, practices, and procedures that govern administration of the entity's programs, activities, and services.

### 3.1 Scope of the Self-Evaluation

The scope of the Self-Evaluation includes review of policy and procedures of City departments, as well as a review of select physical assets. The policy review of 17 departments was performed by LifeQuest and Cole during Phase 1 of the project. For physical asset review, Self-Evaluation of existing City buildings, parks, trails, sidewalks, curb ramps, bus stops, accessible parking spaces, and pedestrian signals was performed within Phase 1, to identify potential barriers that might reduce their use by people who have disabilities. The information collected will better inform decision makers on how to plan and budget for improvements through the City's ADA Transition Plan.

In 2019 & 2020, Cole, along with Access by Design and Ragan-Smith Engineers, performed a thorough physical assessment, also known as a "Self-Evaluation", of selected buildings, parks, trails, sidewalks, curb ramps, and pedestrian signals within the public right-of-way. These facilities were evaluated per the applicable ADA regulations and guidelines. Separately, the City of Chattanooga performed assessments for additional buildings and parks.

## 3.2 Public Right-of-Way | City Facilities

The project scope includes the following:

### 1. Public Right-of-Way (Street Corridors)

- a. Sidewalks
- b. Curb Ramps
- c. Pedestrian Pushbuttons
- d. Bus Stops
- e. Accessible Parking Spaces

### 2. City Facilities

- a. Avondale Community Center
- b. Bessie Smith Cultural Center
- c. Chris L. Ramsey Community Center
- d. Carver Community Center
- e. City Council Building
- f. City Hall
- g. Development Resource Center
- h. East Chattanooga Community Center
- i. Eastlake Community Center
- j. Eastdale Community Center
- k. Frances B. Wyatt Arts Center
- l. Heritage House
- m. John A. Pattern Community Center
- n. Lookout Valley Recreation Center
- o. Memorial Auditorium
- p. North Chattanooga Community Center
- q. North River Civic Center
- r. Outdoor Chattanooga
- s. Sherpherd Community Center
- t. South Chattanooga Community Center
- u. Tivoli Theatre
- v. Tyner Community Center
- w. Washington Hills Community Center
- x. Well Advantage Health & Wellness Center
- y. Chattanooga Library - Main Facility\*
- z. Alton-Brainerd Recreation Center\*
- aa. Coolidge Park\*
- ab. Greenway Farms\*
- ac. Hixson Community Center
- ad. Tennessee Aquarium Plaza\*
- ae. Various Park Assessments\*

\* Denotes assessments conducted by others

The inventory includes 171 miles of sidewalk, 3,317 curb ramp locations, 204 bus stop locations, 29 accessible parking spaces, 439 pedestrian signal pushbuttons, one trail, and 29 building facilities. An overview of the data collected and the cost summaries of the inventory analyzed for ADA compliance within the public right-of-way facilities and building facilities is located in Section 5 of this report. Once completed, detailed reports of the City's facilities are available upon request. See Exhibit A on the following page for the boundary map of public right-of-way physical asset assessment.

Data collected from this assessment will enable City staff to:

- a. Determine if facilities, parks, and parking areas comply with ADA Standards
- b. Determine if sidewalks, curb ramps, pedestrian signal pushbuttons, transit stops, and on street access parking comply with the draft PROWAG and the MUTCD
- c. Identify portions of facilities, sidewalks, or pedestrian access areas requiring modifications
- d. Quantify the extent of the work required
- e. Assign planning level cost estimates
- f. Include the data in the City's Geographic Information Systems (GIS) database

The City of Chattanooga's Self-Evaluation process will provide the information needed for the City to determine the proper prioritization of non-standard buildings, parks, and pedestrian facilities. These have been evaluated thoroughly and documented in the self-evaluation inventory report to identify corrective measures.



### Exhibit A ADA Self-Evaluation Public Rights-of-Way Boundary Map

Recognizing the City of Chattanooga has limited funds and cannot make all barriers identified with the building, parks, and public right-of-way facilities fully accessible immediately, the Implementation Schedule within the Transition Plan sets forth the priorities for making access modifications over time.

### 3.3 Public Outreach

Thorough public outreach strategy sessions were developed by the consultant and staff in conjunction with various city departments to ensure that members of the community living with disabilities would have an opportunity to be informed and provide feedback to the City of Chattanooga. The event was promoted publicly through various city communication vehicles.

#### Outreach strategies included:

- **Public Outreach Presentations: Two in-person presentations were conducted on October 19th, 2022.**
- **Public Survey:** A public survey was made available to allow valuable feedback from the community on accessibility at both in-person presentations and the City website listed above.

#### Public Outreach Information Details

**The Summary of Findings Report** documented the preliminary results and information of general findings from the ADA Self-Evaluation. This report was made available for participants during the public outreach sessions and made available electronically for those unable to attend.

**Publicity of the Public Outreach Sessions and Community Survey** was made through an advertisement in the Chattanooga Times Free Press, notification to the Mayor's Council on Disability, and on the City's website beginning September 25th, 2022, to ensure all citizens have an opportunity to understand the City's findings and to gain valuable feedback from the accessible needs community and citizenry at large. A video of the live public outreach session continues to be available for viewing for those who were not able to attend open sessions.

**The Public Comment Period** extended beyond the requirement of 30 days, allowing citizens to review the Summary of Findings Report and provide any insights or feedback via the survey regarding areas of priority throughout the City. Feedback received on areas of concern allows for additional consideration as the City prepares to prioritize sites for remediation both short- and long-term. The public survey allows for questions and answers, as well as direct comments from the public.



## 4. Self-Evaluation - Approach

*A comprehensive inventory of barriers is being conducted. The following describes the approach.*

### 4.1 Evaluation Methodology

Methodology of assessment for the City of Chattanooga is broken into two components:

- a. Review of current programs, policies, and services, and
- b. Review of physical assets which include features within the public right-of-way and city buildings and parks.

The method of conducting the Self-Evaluation for review of its current programs, activities, and services that govern its administration followed a best practice. With some specific exceptions unique to the DOJ's 2010 ADA Title II revised regulations, the basis of the self-evaluation process was the worksheets and questionnaires provided in the ADA Title II Action Guide technical assistance document published in 1992 by Adaptive Environments Center, Inc. This resource, specifically reviewed by the DOJ for accuracy, is still an outstanding tool for conducting an ADA self-evaluation process.

The method of conducting the Self-Evaluation for the City of Chattanooga for physical assets included field data collection to determine compliance with the following standards and guidelines:

1. 1991 ADA Standards
2. 2010 ADA Standards for Accessible Design

3. Section 504 of the Rehabilitation Act (504)
4. Draft Public Right-of-Way Accessibility Guidelines, 2013 (PROWAG)
5. Tennessee Department of Transportation Standards
6. Federal Highway Administration Manual on Uniform Traffic Control Devices for Streets & Highways
7. U.S. Department of Transportation Regulations for transit and sidewalks

These documents are used to define the methods used to make facilities accessible.

## 4.2 Approach to Public Right-of-Way Inventory Collection

The Consultant team created and utilized a geodatabase using the ESRI ArcGIS system. The customized fields for Geodatabase include location, directions, size, features, and obstruction size. Data structure was pre-programmed for public right-of-way facility collection. Data is then logged into a project database and analyzed for compliance.

The traditional accessibility inventory process in the public right-of-way can be labor intensive, while still offering inexact information. Many public entities rely on collection methods that provide limited information or assess barriers intermittently. This does not offer precise data or allow for accurate cost estimates for barrier removal. The City of Chattanooga indicated an interest in utilizing a technology that would quickly and accurately document the type, severity, and location of sidewalk and curb ramp barriers in and along the phased limits. The City contracted with Cole to utilize an exclusive technology called the ULIP-ADA5 to allow for an efficient and effective process to complete the City's assessment for pedestrian infrastructure within the public right-of-way.

The technology was originally developed through a pilot program funded by the Federal Highway Administration. The Ultra-Light Inertial Profiler (ULIP) is mounted on a Segway. The device's displacement laser, three accelerometers, optical trigger, distance measurement instrument, and gyroscope are designed to measure the sidewalk surface at a rate of 10,000 records per second. Together, these devices capture highly accurate information about cross and running slope and small surface variations. A mounted computer, or Toughbook tablet, offers an interactive display during data collection. The technical precision offered by this technology was identified as a best practice in *ADA Compliance at Transportation Agencies: A Review of Practices* (NCHRP 20-07 Task 249), a National Cooperative Highway Research Program study.



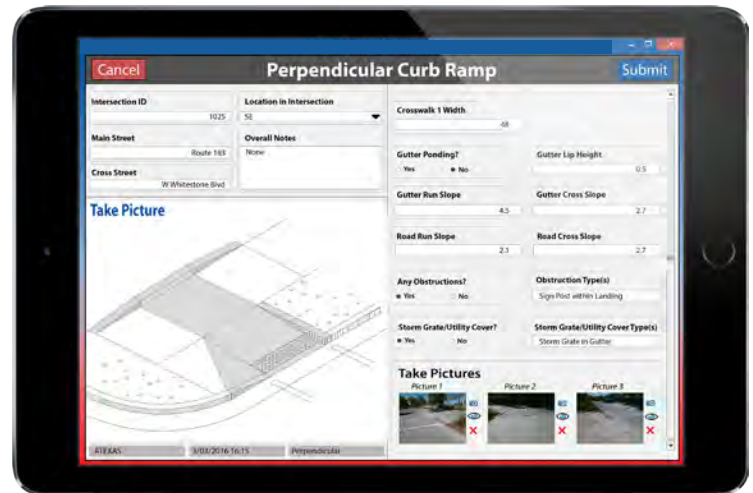

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<sup>5</sup> The ULIP-ADA was listed as a best practice in *ADA Compliance at Transportation Agencies: A Review of Practices* (NCHRP 20-07 Task 249), a National Cooperative Highway Research Program study. "ULIP" stands for Ultra-Light Inertial Profiler. The ULIP has been upgraded over many years to the current ULIP-ADA version 3.0.

Field Data Specialists also collect the required information for the curb ramps, bus stops, accessible parking, and signal pushbuttons throughout the defined project areas. Customized data collection software based on the draft PROWAG recommendations and the MUTCD is the backbone for curb ramp and pushbutton validation criteria. Field Specialists enter data directly into the data collectors, based on inspection and measurements of the existing features, ensuring that all relevant characteristics are recorded, photos and video are properly linked, and accurate location data is logged in the database.

Throughout the collection process, data collection, data validation, and linking to location and digital photo files happens automatically as the Field Data Specialists enter data and move from point to point. The Field Data Specialists then access the data entry, validation forms, and aerial orthophoto images along with right-of-way, utility, topographic, or other feature data sets that are preloaded and appear on the data collectors for easy reference in the field. Digital photos are automatically logged for location and linked to the database, based on synchronized time and date stamps.

Quality control is an important aspect of field data collection. Mobile GIS removed the error-prone conversion of spatial data from paper maps to digital format by synchronizing digital files directly between a hand-held device and the desktop GIS. A custom routine is run on the collected data regularly to check for errors or missing information. The data is synced directly to a GIS database thus reducing the risk of errors in data conversion. This ultimately creates a streamlined approach to understanding and evaluating barriers and the cost estimations for barrier removal to allow for effective planning for pedestrian access within the City's public right-of-way.



### 4.3 Approach to Buildings & Facility Inventory Collection

Each facility is evaluated beginning at the public sidewalk, including sidewalks and routes to building entrances, accessible parking, curb ramps, and ramps. Building interior elements include transaction counters, meeting and community rooms, classrooms, assembly spaces, library stacks, gymnasiums, pools, childcare areas, exhibits, detention areas, and any other areas where City programs are offered. Support spaces such as public restrooms, locker rooms, shower rooms, drinking fountains, and alarm systems are also evaluated for compliance.

Surveyors use electronic data collectors to collect and process data efficiently and effectively to a database of information.

### 4.4 Database Analysis

City of Chattanooga's sidewalk and public right-of-way facilities data provides staff geographic data with:

1. Positional accuracy, the digital representation of a barrier conforms to the actual location found in the field;
2. Attribute accuracy, the digital representation of a barrier is represented in a manner that best represents actual conditions found in the field (% running slope, % cross-slope, inches of vertical separation, etc.).

Building and facility data results include field measurements and data collection to determine compliance. Guidance for public right-of-way facilities in defining the method with which to assess the data is found in *Designing Sidewalks and Trails for Access* (FHWA,



## 4.6 Prioritization Factors

### Facilities, Parks, Parking, and Pedestrian Access to the Public Right-of-Way

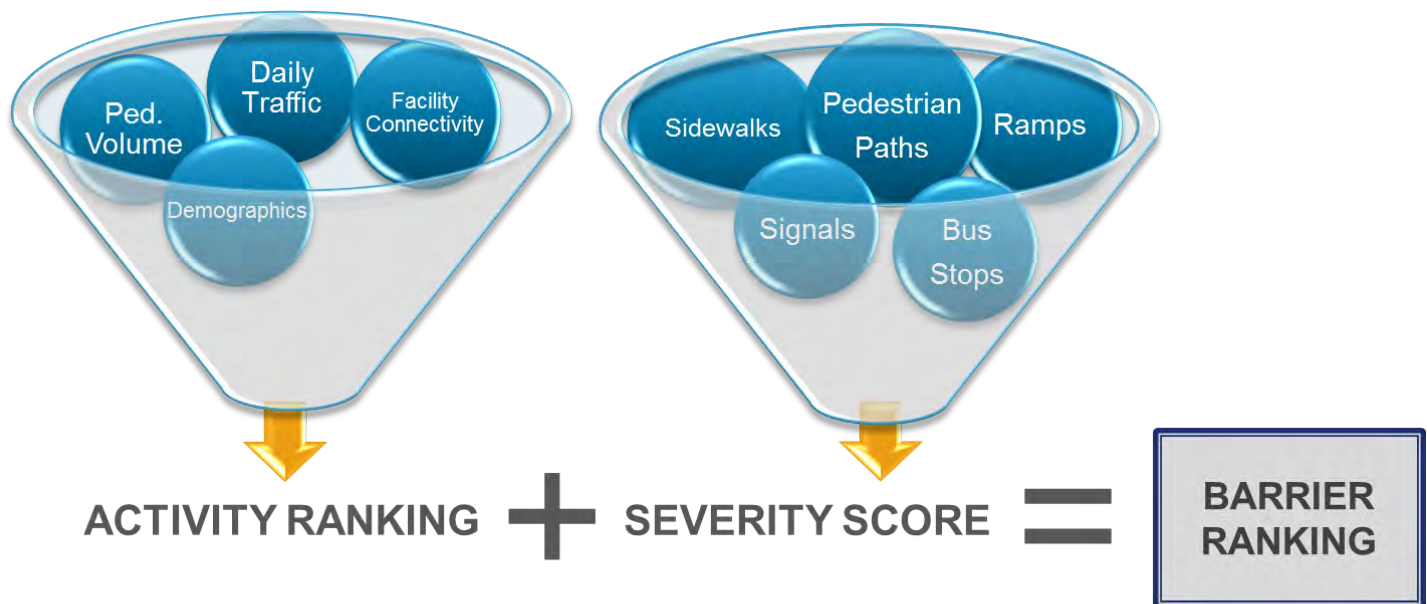
- Priorities for removing barriers are indicated as: “High, Medium, or Low.”
- Ranking of the following criteria is completed before a final priority is determined:

**Program Availability:** The number of programs available at a location and those unique to a location, such as a recreation program, indicate its importance to the community.

**Level of Use:** Facilities used more frequently are generally given a higher activity rank.

**Severity:** Ranking of “High, Medium, or Low” degrees of non-compliance, safety, and usability, such as:

1. Steepness of curb ramps
2. Lack of curb ramp
3. Sidewalk with excessive cross slope
4. Missing Detectable Warning Systems (DWS)
5. Obstructions & protrusions
6. Insufficient space for boarding at bus stops
7. Parking spaces with no accessible route
8. Missing portions of sidewalks and paths



**Activity Factors:** Activity scores include the likelihood of usage based on:

1. Government offices and facilities
2. Transportation corridors, including pathways leading to schools
3. Transit stops
4. Proximity to parks and recreation facilities
5. Commercial and business zones
6. Retail businesses
7. Housing locations with a known concentration of persons with disabilities and elders

**Geographic Distribution:** Distribution of key facilities throughout the City ensuring maximum access and dispersal of amenities.

**Public Outreach:** Information from individuals with disabilities and their communities were incorporated in prioritizing locations needing attention first.

Prioritization Factors have been determined with the City per the schedule in Section 8.



## 5. Summary of Findings

### 5.1 Introduction

The Summary of Findings has provided a high-level overview of the results of the Self-Evaluation for both policy review as well as the physical assessment of city buildings, facilities, parks, and public right-of-way. Please see Section 3 for information regarding the scope included; please see Section 4 for details on the methodology used to complete the assessments for ADA compliance.

### 5.2 Policy/Program & Activity

An evaluation of the City's current services, policies, and practices was completed as part of the update to the ADA Self-Evaluation. It identifies policies, procedures, and practices that may not meet, or are inconsistent with, the requirements of the Title II regulations. To the extent modifications of the services, policies, and practices are required; the City is expected to make such modifications.

Following approval of this update, non-structural policy modifications are expected to be made as soon thereafter as is reasonably possible.

An overview of typical findings identified are summarized below:"

### ADA Coordinator & ADA Liaisons

- Provide official title of ADA Coordinator - completed
- Introduce and provide ADA Coordinator Training through ADA National Network
- Establish central databases for complaints, accommodation requests, and training
- Establish coalition of two ADA liaisons in each department/ division - completed

### Policies & Procedures

- Establish a procedure for providing accessible detours for street closures and/or providing notifications
- Maintain a list of pre-qualified contractors that ensure ADA compliance
- Evaluate City leased properties to ensure ADA compliance

### Program Access & Communication

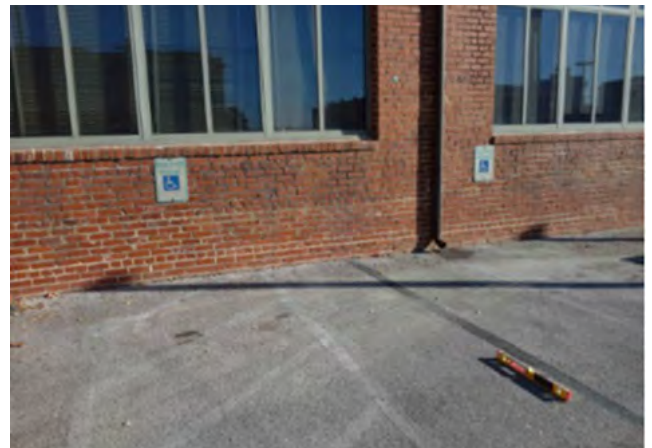
- Identify alternate, accessible locations for facilities that are non-compliant
- Provide interpreters and captioning for City meetings
- Provide assistive listening devices for all public meetings
- Ensure the Reasonable Accommodations Request Form is easily found on the City's website and is accessible

### Staff Training

- Training developed to all learning levels
- Provide follow-up/refresher training
- Establish a Disability Resource page on the City's intranet
- Showcase case law (litigation) relevant to each department/ division



Accessible Parking - Cross Slope in Excess of 2%



Accessible Parking - Run Slope in Excess of 2%

## 5.3 Physical Assets

### Facilities/Parks

Almost every facility has some issues with the accessible routes from public sidewalks and accessible parking – cross slope, running slope, and/or changes in level along sidewalks due to heaving. Curb ramps are also commonly found to have cross slope and running slope issues.

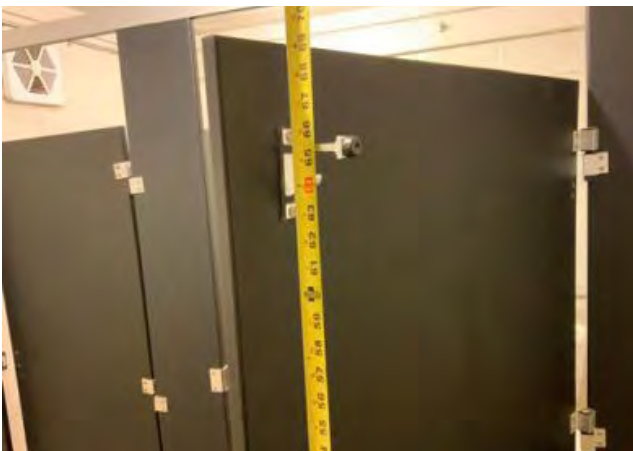
Common interior issues include inaccessible transaction counters and protruding objects in circulation paths. Toilet rooms typically have a wide variety of issues, both large and small, including inoperable stall door closers, baby changing stations that are too high, lavatories with missing drainpipe insulation or inadequate knee space, coat hooks that are too high, water closets with center line issues, and grab bars improperly installed.

#### a. Facilities-Counter Height



Inaccessible Counter Height

#### b. Facilities-Accessible Restroom Stall



Inaccessible Coat Hook

## Public Right-of-Way

The City of Chattanooga's public rights-of-way assessment generated a significant amount of information regarding the accessibility within the defined boundaries. A total of 171 miles of sidewalk (including 62 miles of uncollectable sidewalk), 3,317 curb ramps (including 1,159 missing curb ramps), 204 bus stops, 439 pedestrian signals, and 29 accessible on-street parking spaces were evaluated.



Obstruction Type	Count
Vegetation Side	177
Vegetation Overhead	142
Utility, Storm Grate	58
Traffic Signal Obstruction	12
Other, Temp Private	139
Uneven Heaving	77
Signs	120
Power Pole Obstruction	198
<b>Total</b>	<b>923</b>

## Sidewalk Inventory Data

The sidewalk corridors were evaluated for:

- Run slope
- Cross slope
- Obstructions
- Joint heaving
- Driveway crossings
- Driveway cross-slope
- Gaps in connectivity
- Missing sidewalk

Observations showed that although many sidewalks comply with the accessibility standards and guidelines, some common issues are outlined throughout the report. For each of these elements assessed, findings are summarized in tables on the following pages.

### a. Sidewalk Obstructions

#### Common Issues:

- Vegetation growing overhead or alongside the sidewalk represent the two highest factors in barriers to the sidewalk.
- Utilities and power poles/posts/hydrants represent 256 locations combined. These types of obstructions are costly to relocate and/or require challenging design solutions. In some cases, obstruction removal may be the responsibility of other agencies (such as TnDOT, a utility company, etc.) and require more coordination and time to correct.



Sidewalk Obstruction – Overhead Vegetation Protrusion

### b. Sidewalk Changes in Levels (Heaves)

Vertical Displacement (Heave)	Count
< = 1"	9,460
> 1"	312
<b>Total</b>	<b>9,772</b>

#### Notes on Uneven Heaving:

- Changes in level, or heaves, are common issues found in sidewalks for every community.
- Heaves are caused by many factors including, but not limited to, tree root growth and changing soil conditions over time.
- Uneven heaving in the sidewalk concrete is a common occurrence of obstruction counts, as previously reported.
- Heaves of a certain dimension can often be addressed by cutting or grinding sidewalks.
- Only 4% of heaves are 1" or higher.
- Over 75% of the heaves measured fall between ¼" and ½", which often represent an opportunity for remediation without replacing an entire sidewalk segment. While not compliant, these are also found to be far less severe.



Sidewalk Heaving

**c. Poor Surface Condition**

	Square Yards
Poor Surface Condition	2,557

Common Issues:

- Poor Surface Condition is multiple measurements of vertical displacement in close proximity, consistent with broken/cracked panels, spalling, or other surface roughness.
- Heaving clusters are distinguished from panel joint heaves, where remediation can be grinding.
- Remediation of this type of accessibility issue is typically sidewalk replacement.
- Locations with other issues requiring sidewalk replacement are not counted in this total.



Poor Surface Condition

**d. Sidewalk Cross Slope**

% Cross Slope	Miles	Status
0.00 - 2.00	43.29	Compliant
2.01 - 3.00	26.53	ADA Concerns
3.01 - 4.00	18.93	ADA Concerns
4.01 - 7.00	10.09	ADA Concerns
7.01 +	10.16	ADA Concerns
<b>Total</b>	<b>109</b>	



Sidewalk Cross Slope, as depicted by arrows

### e. Sidewalk Run Slope

% Slope	Miles	Status
0.00 - 5.00	108.44	Compliant
5.01 - 8.33*	0.37	ADA Concerns
8.34 - 10.00*	0.10	ADA Concerns
10.01 - 12.00*	0.07	ADA Concerns
12.01 - 25.00*	0.02	ADA Concerns
<b>Total</b>	<b>109</b>	

#### Common Issues:

- 24.3% of the cross slope issues fall in the 2-3% range and many of these fall to just above the 2% maximum allowable standard. This is considered a less severe violation unless additional compliance issues are present.
- 17.4% of cross slope issues fall in the 3-4% range and 18.6% of the remaining violations are above 4% cross slope, where the slope may become very visible.
- Sidewalk cross-slope violations are a common issue at driveway crossings.
- Run slope issues were less common compared to cross slope.
- 0.17% of the issues fell above 8.33% run slope grade, which is considered more severe than the 108.44 miles at 0-8.3% grade.



Sidewalk Run Slope, as depicted by the arrow

\* Where the sidewalk is contained within the street or highway rights-of-way, Sidewalk Run Slope is permitted to match the general grade of the adjacent street or highway, according to draft PROWAG.

### f. Sidewalk Connectivity

Sidewalk	Miles
Connectivity Gaps - Missing	13
Buried Sidewalk	44
Narrow Sidewalk (less than 48")	1



Sidewalk Connectivity

**g. Driveways**

Driveway Type	Miles
Commercial	7.43
Residential	3.34
<b>Total</b>	<b>10.77</b>

**Common Issues:**

- Sidewalk Connectivity represents a gap in service (missing sidewalk between two unconnected sections / buried sidewalks, bus stops) or inadequate service (buried, narrow).
- Driveway Crossings: Cross slopes of driveway crossings often exceed the 2% maximum allowable per the standards for cross slope; this can present a challenge if sidewalk connectivity utilized the driveway to continue the sidewalk path.



Sidewalk built through a driveway

## Curb Ramp Evaluation

The consultant teams evaluated 3,317 existing curb ramp locations.

The curb ramps were evaluated for many different elements of compliance. The following highlights the major elements evaluated:

- Run slope
- Cross slope
- Length
- Width
- Curb slope
- Obstructions
- Surface conditions
- Landings
- Gutter slope/gutter lip
- Detectable Warning Surface (DWS)
- Flare slope

Observations showed that many of the curb ramps that do not comply with the accessibility standards share some common issues. The following tables summarize the findings for curb ramps.

### a. Curb Ramp Run Slope

% Slope	Count	Status
0.00 - 5.00	415	Compliant
5.01 - 8.33	701	Compliant*
8.34 - 10.00	422	ADA Concerns
10.01 - 12.50	386	ADA Concerns
12.50 +	234	ADA Concerns
<b>Total*</b>	<b>2,158</b>	<b>(Excludes 1,159 Missing Ramps)</b>



Curb Ramp Run Slope

Common Issues:

- 48% of all curb ramps had run slope issues.

\*Maximum Ramp Run Slopes of 8.33% is permitted for a length of fifteen feet per draft PROWAG.

### b. Curb Ramp Cross Slope

% Slope	Count	Status
0.00 - 2.00	1,010	Compliant
2.01 - 3.00	423	ADA Concerns
3.01 - 4.00	258	ADA Concerns
4.01 - 7.00	337	ADA Concerns
7.01 +	130	ADA Concerns
<b>Total</b>	<b>2,158</b>	<b>(Excludes 1,159 Missing Ramps)</b>

#### Common Issues:

- 46.8% of curb ramps met cross slope requirements.
- 1,148 of curb ramps had cross slope issues. Of these, 36.8% fell into a 2-3% cross slope range, generally considered less severe than higher ranges.



Curb Ramp Cross Slope

### c. Detectable Warning Surface (DWS)

Type	Count
Compliant	146
Non-Compliant	141
Missing	169
Failed Initial Test	1,702*
<b>Total (Excludes 1,159 Missing Ramps)</b>	<b>2,158</b>

#### Common Issues:

- DWS falling in the Non-Compliant count were most often due to the DWS not extending for the full width of the ramp.

\*Of the 1,702 which failed at an early Initial Pass/Fail scenario, the ramps failed for other non-compliant ramp component reasons, and there is most often some degree of reconstruction necessary. For these ramps, any DWS concerns will be addressed when the ramp is corrected for compliance.



Curb Ramp Detectable Warning Surface

**d. Missing Curb Ramp**

Missing Ramp	Non-Compliant
Missing Ramps	1,159

## Common Issues:

- Missing Curb Ramps are ramps that are not present in locations where they are required.
- T-Intersections can sometimes be the cause of a report of missing curb ramps. These locations most often must be reviewed closely by the City to determine if an alternate approach can be taken to rectify the concern.



Missing Curb Ramp

## Bus Stop Boarding Area Evaluation

The consultant teams evaluated 204 Bus Stop locations used by the Chattanooga Area Regional Transportation Authority (ARTA). Numerous locations did not have bus stop boarding areas. Where the bus stop boarding area did exist, a high number had accessible slope and size issues. The bus stop boarding area findings are summarized below:

### a. Bus Stop Boarding Areas

Boarding Area	Count
Compliant Boarding Area	29
Missing Boarding Area	51
Non-Compliant Boarding Area	124
<b>Total</b>	<b>204</b>

#### Common Issues:

- 25% of all bus stop boarding areas are missing.
- Boarding area length and/or width below the minimum requirements.
- Boarding area slopes above the maximum allowable slope.



Bus Stop Boarding Area

## Pedestrian Signal Evaluation

The consultant teams evaluated 439 pedestrian signal pushbuttons. The majority of the pedestrian signal pushbuttons were non-APS pushbuttons (Accessible Pedestrian Signal). The number of pushbuttons vs. pedestrian signal posts will vary. The pedestrian signal pushbutton findings are summarized below:

### Common Issues:

- 98% of pedestrian signal pushbuttons were non-APS.
- 62% of existing pedestrian pushbuttons clear floor spaces had slope issues.
- Side reach exceeded 10 inches.

### a. Pedestrian Signal Pushbuttons

Pedestrian Pushbuttons	Count
APS	16
Non-APS	423
<b>Total</b>	<b>439</b>

### b. Pushbutton - Height

* Pedestrian Pushbuttons	Count
Height < 48" Compliant	324
Height > 48" Non-Compliant	25
<b>Total</b>	<b>349</b>

\* Does not include buttons that require replacement for reasons.

### c. Pushbutton - Clear Floor Space & Slope

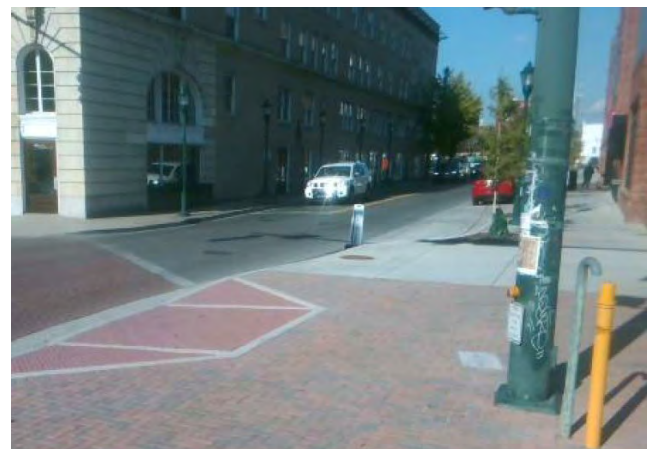
Clear Floor Space	Count
Compliant Slopes	97
Non-Compliant Slopes	271
No Clear Floor Space	71
<b>Total</b>	<b>439</b>

### d. Pushbutton - Side Reach

Pushbutton Side Reach	Count
0" to 10" Compliant	356
>11" Non-Compliant	83
<b>Total</b>	<b>439</b>



Pedestrian Signal



Pedestrian Signal - Clear Space Slope

## On-Street Accessible Parking Evaluation

The consultant teams evaluated 29 on-street accessible parking spaces in the public rights-of-way. Eleven square blocks were surveyed for the appropriate number of on-street accessible spaces. The majority of the blocks had a compliant number of required accessible parking spaces. The on-street accessible parking findings are summarized below:

### a. On-Street Accessible Parking Block Counts

Accessible Parking Block Counts	Count
Compliant Accessible Parking Count	8
Non-Compliant Accessible Parking Count	3
<b>Total</b>	<b>11</b>

#### Common Issues:

- 73% of the blocks with parking in the public rights-of-way had a number of accessible spaces.



Accessible Parking Spaces



## 6. Transition Plan Details

The updated Transition Plan provides a schedule by which the city facilities will be prioritized within an implementation schedule that outlines timing and planning level cost estimates for remediation over time. Detailed reports provide the barrier information and barrier removal options. These reports guide the City of Chattanooga's planning for barrier removal based on their priorities utilizing numerous strategies.

Not all barriers must be removed to provide program access. The highest priority is to remove those barriers that limit access to city programs or present safety concerns. Barrier priorities and ranking methodology are discussed in Section 4.6. Due to the volume of individual reports, the ADA Transition Plan Report summarizes the findings and addresses the City's action plan to remove barriers over time. The individual reports will be available by contacting the ADA Coordinator for access to the detailed information.

## 6.1 City Official Responsible

The ADA Coordinator is responsible for ensuring that Chattanooga programs, services, and activities are accessible to and usable by individuals with disabilities. The City's ADA Coordinator is:

Toni Morgan,  
Office of Multicultural Affairs and/or Compliance Officer  
City of Chattanooga  
100 E. 11th Street, Suite 101  
Chattanooga, TN 37402  
Phone: 423-643-8240  
e-mail: oma@chattanooga.gov

For questions regarding the ADA Transition Plan, or to request an ADA accommodation or file an ADA complaint, please contact the ADA Coordinator or see:

<https://chattanooga.gov/accessibility>

## 6.2 Transportation Alternatives (TA)

The City will take full advantage of various funding opportunities that may come available for right-of-way accessibility improvements. This may include funds from the following:

- RAISE - 2 Transportation Discretionary Grants
- TIFIA - Transportation Infrastructure Finance & Innovation Act
- FTA - Federal Transit Capital, Urban & Rural Funds
- ATI - Associated Transit Improvement
- CMAQ - Congestion Mitigation/Air Quality Program
- HSIP - Highway Safety Improvement Program
- NHPP - National Highway Performance Program
- STBG - Surface Transportation Block Grant Program
- TA - Transportation Alternatives Set-Aside
- RHCP - Railway-Highway Crossing Program
- RST - Road Safety and Technology
- SS4A- Safe Streets for All
- SRTS - Safe Routes to School
- PLAN - Statewide Planning & Research or/Metropolitan Planning Funds
- NHTSA 402/405 - State & Community / National Priority Safety Programs
- FLTP - Federal Lands & Tribal Transportation Programs

Please see the table below for examples of how these sources may be utilized.

The City may explore partnerships to fund accessibility utilizing state and federal grants. Allocation of annual departmental budgets, maintenance funds, special taxing districts, already scheduled/funded Capital Improvement Program (CIP) projects, bond funds, Community Development Block Grant (CDBG) Funds, and Highways User Revenue Funds may be other sources for projects, as well as private funds from foundations, private development, and private individuals.

Additional funding information may be found at FHWA's web page:

[https://www.fhwa.dot.gov/environment/bicycle\\_pedestrian/funding/funding\\_opportunities.pdf?u=092922](https://www.fhwa.dot.gov/environment/bicycle_pedestrian/funding/funding_opportunities.pdf?u=092922)

## Pedestrian Program Funding Opportunities

PEDESTRIAN FACILITIES								
Federal Funding Sources	Curb Ramps	Signals	Sidewalk	Crosswalks	Trails	Bus Stops	Safety	Training
RAISE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
TIFIA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
FTA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>		
ATI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>		
CMAQ	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
HSIP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
NHPP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
STBG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RHCP			<input type="checkbox"/>				<input type="checkbox"/>	
RST		<input type="checkbox"/>						
RTP	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
SRTS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
PLAN							<input type="checkbox"/>	<input type="checkbox"/>
NHTSA 402/405							<input type="checkbox"/>	<input type="checkbox"/>
FLTP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

## 6.3 Prioritized Recommendations for Barrier Removal

The City of Chattanooga may choose to modify priorities to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, changes in City programs, on-going evaluation and funding constraints, and opportunities.

It is not financially feasible to remove all barriers to access immediately. It is the goal of the updated ADA Transition Plan to provide access to the programs, activities, and services provided by the City. The City of Chattanooga has on-going programs that monitor proposed alteration projects and include the review of the various accessibility concerns identified in order to bring facilities to current ADA standards when projects take place. The City plans to remove barriers over time, as is indicated by the completed Implementation Schedule. Sidewalk corridors, trails, buildings, and parks identified barriers will be addressed based on their priority by the City and with available funds.

## 6.4 Implementation Schedule

Because the City of Chattanooga has many rights-of-way locations, parks, and facilities, it is not possible to remove all barriers immediately. Barriers will be removed systematically, citywide, to ensure equality among City programs. It is the intent of the City to address barriers to accessibility over many years, contingent upon City Council approval, depending on the immediate necessity, degree of complexity, and overall cost.

The City of Chattanooga reserves the right to modify barrier removal priorities to allow flexibility in accommodating community requests, petitions for reasonable modifications from persons with disabilities, changes in City programs, on-going evaluations and funding constraints, and opportunities.

In addition to CIP programs, other development initiatives will include opportunities to provide ADA compliance. The City may elect to apply an annually approved budget with ADA remediation components built into the budget, subject to City Council approval.



## 7. Current ADA Policy & Grievance Procedure

### 7.1 Policy

It is the policy of the City of Chattanooga to honor all requests for ADA accommodation when at all possible. The ADA Notice and Grievance Procedure is posted on-line at:

<https://chattanooga.gov/accessibility>

### 7.2 Grievance Procedure

#### 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 Chattanooga. The City'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 are 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:

Toni Morgan,  
Office of Multicultural Affairs and/or Compliance Officer  
City of Chattanooga  
100 E. 11th Street, Suite 101  
Chattanooga, TN 37402  
Phone: 423-643-8240  
e-mail: oma@chattanooga.gov

### **After Filing A Complaint**

Within 15 calendar days after receipt of the complaint, the ADA coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant. The response will explain the position of the City of Chattanooga and offer options for substantive resolution of the complaint.

If the response by the ADA coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Mayor or his/her designee.

Within 15 calendar days after receipt of the appeal, the Mayor or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Mayor or his/her 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 coordinator or his/her designee, appeals to the Mayor or his/her designee, and responses from these two (2) offices is being retained by the City of Chattanooga for at least three (3) years.