



Committee Members:

- James Niemeyer, Ward 6 – committee Chair
- Holly Frische, Ward 1
- Josh Palmer Ward 7 *Comm. Chair*
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Staff:

- Don Rasmussen
- Jeremy Kolb
- Rob Martin
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Meeting Start Time: 5:05

Meeting End Time: 6:25

Guests: Mark Thomas

Beth Green

Connie Cleary

Rose Thomas

Grant Russel

Beth Warneke

Randy Greeno

Agenda:

Call to Order

Roll Call

New Items

1. carriage/service walks

Adjournment

Joshua Palmer, Streets, Sidewalks & Parking Committee Chair

COMMITTEE REPORT

THE CITY COUNCIL OF THE CITY OF FINDLAY, OHIO

The **STREETS, SIDEWALKS & PARKING COMMITTEE** met on October 18, 2022 to continue discussions from the August 22, 2022 committee meeting on carriage/service walks.

We recommend

Furthered discussion on
'carriage' walks,
Committee will meet
on 10/24 to recommend
a policy to address
'carriage' walks.

Next meeting 5 pm on 10/24

Aye Nay



Joshua Palmer, Chairman

**STREETS, SIDEWALKS & PARKING
COMMITTEE**

Aye Nay

Holly Frische

LEGISLATION: _____

Aye Nay

James Niemeyer

DATED: October 18, 2022

City of Findlay Office of the Director of Law

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Donald J. Rasmussen
Director of Law

October 12, 2022

STREETS, SIDEWALKS & PARKING Committee
Findlay, Ohio 45840

re: legal opinion regarding carriage walks
Opinion 2022-003
Issued: 10/12/2022

It is my opinion that carriage walks are covered by Title II of the Americans with Disabilities Act, so the City of Findlay is required to have a plan to update them in accordance with ADA Regulations. If the City of Findlay utilizes federal funding to assist in updating its public right-of-way, Section 504 of the Rehabilitation Act also applies. Under these statutes, any newly installed carriage walks would be an alteration required to be built in compliance with the 2010 ADA Standards for accessible design and existing carriage walks would need to be updated over time.

The City of Findlay is a public entity required to comply with the Americans with Disabilities Act (ADA).

As a local government, the City of Findlay is required to comply with the Americans with Disabilities Act. State and local governments are "public entities" required to come into compliance with the Americans with Disabilities Act. 28 CFR 35.

If a public entity has responsibility or authority over streets, roads, or walkways, its transition plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act, including State and local government offices and facilities, transportation, places of public accommodation, and employers, followed by walkways serving other areas.

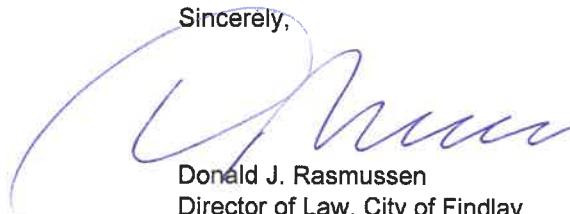
While in this particular situation, the sidewalks are referred to as "carriage walks" the ADA refers to sidewalks as "facilities" or "accessible paths" "carriage walks" fit under the same standards applied to sidewalks.

If the carriage walks are used to access the street either for a street crossing or to access street parking, the City would be required to install a curb ramp in addition to updating them in accordance with the ADA standards referenced above. Thus, if the carriage walks are used by pedestrians as a path to cross the street, they must include a curb ramp.

If carriage walks are used to access the street to access a program, service, or activity, such as on-street parking, they would also be required to have a curb ramp as part of an accessible plan to that activity.

In conclusion, if the carriage walks are used as pedestrian pathways to get to the street for parking, another activity, or a pedestrian street crossing, they need to have curb ramps.

Sincerely,



Donald J. Rasmussen
Director of Law, City of Findlay