

EXECUTIVE SUMMARY



10/20/21

SELF-EVALUATION AND TRANSITION PLAN

Americans with Disabilities Act
Section 504 of the Rehabilitation Act

City of Milford
201 S Walnut Street
Milford, DE 19963

2020-2021



Prepared by

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Draft for

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The City of Milford ADA/504 Self-Evaluation and Transition Plan was prepared by Disability Access Consultants, LLC with the collaboration and assistance of City of Milford staff and input by other interested individuals and community members. Mark Whitfield, City Manager, and Mmichael Svaby, Director of Public Works, served as the primary project contacts and provided the overall project direction and oversight.

A copy of the ADA/504 Self-Evaluation and Transition plan is available from the ADA Coordinator. Accessible alternate formats are available.

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ADA/504 Self-Evaluation and Transition Plan Executive Summary

To further the City of Milford's commitment to provide programs, services and activities in a nondiscriminatory manner for persons with disabilities, the City of Milford (City) decided to conduct an updated Americans with Disabilities Act (ADA) and Section 504 self-evaluation of programs, services, activities, parks and facilities. The updated ADA/504 self-evaluation provides a current benchmark for accessibility efforts by the City and provides an updated framework for implementation. The goal of the City is that all potential physical and programmatic barriers for accessibility for persons with disabilities are identified and removed.

The ADA/504 Self-Evaluation and Transition plan of policies, procedures, activities, events, and facilities was conducted in 2020 and 2021 under the direction of Mark Whitfield, City Manager, and Christie Murphy, Solid Waste and Facilities Supervisor. Mr. Michal Svaby is the designated ADA Coordinator for the City while Ms. Sandra Peck is the designated 504 Coordinator.

Disability Access Consultants, LLC (DAC) was contracted to conduct a comprehensive survey of City programs, services, activities, policies, buildings, parks, accessible on-street parking and public rights-of-way.

The current ADA/504 Self-Evaluation and Transition plan incorporates recent updates in the ADA, Delaware Building Code and other related standards and regulations. The review included accessibility requirements for the Americans with Disabilities Act (ADA) Title II, the ADA 2010 code updates, the Delaware Building Code, the Manual on Uniform Traffic Control Devices, and the Public Right-of-Way Accessibility Guidelines (PROWAG). The Delaware Department of Transportation (DelDOT) incorporates PROWAG into the DelDOT Pedestrian Standards as guidelines and best practices for accessible pedestrian facilities.

The City of Milford Executive Summary contains findings regarding the extent to which the City of Milford's policies and practices provide access to the City's programs, services, and activities for persons with disabilities. Both programmatic and physical barriers are discussed in the City of Milford Executive Summary. Recommendations may not necessarily indicate corrective action, but in many cases are recommendations that may enhance the current compliance activities.

Findings and recommendations for potential physical barriers are found online in DACTrak, a secure online accessibility management software program. DACTrak contains photographs of physical barriers, GIS information, findings, recommendations, estimated costs, and other information. Custom reports and transition plan information can be generated from DACTrak to monitor and track the implementation of the plan.

Findings and recommendations for potential physical barriers are found online in DACTrak, a secure online accessibility management software program. DACTrak contains photographs of physical barriers, GIS information, findings, recommendations, estimated costs, and other information. Custom reports and transition plan information can be generated from DACTrak to monitor and track the implementation of the plan. Noncompliant findings regarding physical barriers that may deny access for persons with disabilities are documented in the updated City of Milford ADA/504 Transition/Barrier Removal Plan that is contained in the DACTrak accessibility management software. Access to information contained in the DACTrak program is available from the City of Milford ADA Coordinator. The City of Milford Executive Summary serves as a roadmap to assist the Town with ongoing compliance.

City policies and procedures that govern the administration of the programs, services, activities, and events with regards to persons with disabilities are documented as findings and recommendations in this executive summary.

The results from the ADA/504 self-evaluation demonstrate not only the commitment by the City to provide access to City programs, services, and activities, but documentation of the overall compliance by the City of Milford and outlines a framework for enhancing compliance.

Purpose of the ADA/504 Self-Evaluation and Transition Plan

The purpose of the City of Milford Americans with Disabilities Act (ADA) Title II and Section 504 (504) Self-evaluation is to document the results of the City of Milford's review of access to programs, services, activities, events, facilities, parks, accessible on-street parking and public rights-of-way by persons with disabilities in order to determine if any discriminatory or potentially discriminatory practices, policies or procedures exist that may deny access for persons with disabilities. This report contains findings and recommendations based on the ADA/504 review of the City of Milford and includes a review of potential programmatic and physical barriers that may deny access for persons with disabilities. As evidenced by this study and update, the City of Milford is committed to complying with the tenets of Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973 (504), and other federal and state statutes and regulations to provide accessibility for persons with disabilities. The update further serves to demonstrate the ongoing compliance efforts by the City.

The City of Milford contracted with Disability Access Consultants, LLC (DAC) to conduct a review of programs, services, and activities of the City in accordance with Title II of the ADA. City buildings, parks, accessible on-street parking and public rights-of-way were assessed to update the City of Milford ADA/504 Self-Evaluation and Transition Plan. The study included accessibility requirements for the Americans with Disabilities Act (ADA) Title II, the Delaware Building Code, DelDOT requirements, Manual on Uniform Traffic Control Devices (MUTCD) and the Public Right-of-Way Accessibility Guidelines (PROWAG). The 2010 ADA updates added accessibility requirements for areas such as recreational sites, golf facilities, play areas, recreational boating sites, fishing piers, swimming pools, wading pools, and judicial facilities. Accessibility requirements were also changed for items such as reach range, water closets, assembly areas and other areas. The City of Milford current plan updates standards and provides safe harbor for those areas and items that were compliant under prior accessibility codes.

As public input is important to develop and prioritize the plan, the City conducted public outreach as described in the public outreach portion of this document. It is recognized that input from stakeholders is a valuable component of an updated, usable, and realistic plan. Input was also solicited from City staff. As additional input from stakeholders is received, the ADA Coordinator or designated person is responsible to evaluate the input and incorporate it into the ADA plan as appropriate.

To further the City's commitment to provide programs, services and activities in a nondiscriminatory manner for persons with disabilities, the City conducted an updated ADA/504 self-evaluation of programs, services, activities to identify any potential programmatic barriers and a transition plan to identify any physical barriers.

The City of Milford has demonstrated a commitment from the highest level of leadership with coordination of compliance activities and involvement of persons with disabilities and methodologies for compliance procedures. As evidenced in the current updated ADA/504 report, the City of Milford understands that the ADA/504 compliance plan is not a static document but requires ongoing implementation and periodic updates. The ADA/504 self-evaluation provides a current benchmark for accessibility efforts by the City and provides an updated framework for implementation. The current study also incorporates recent code changes, updates in accessibility standards and regulations in addition to accessibility trends. The ADA/504 Self-Evaluation and Transition plan activities work together to address the requirements of the ADA.

Requirements to Conduct an ADA Self-Evaluation and Transition Plan

Part 35.105 of Title II of the ADA establishes a requirement, based on the section 504 regulations for federally assisted and federally conducted programs, that a public entity evaluate its current policies and practices to identify and correct any that are not consistent with the requirements of this part. All public entities are required to do a self-evaluation. However, only those that employ 50 or more persons are required to maintain the self-evaluation on file and make it available for public inspection for three years.

Several regulatory agencies require the development and implementation of an Americans with Disabilities (ADA) plan and a Section 504 Rehabilitation Act plan. The United States Department of Housing and Urban Development requires an ADA/504 Self-Evaluation and Transition plan that includes the oversight of the use of Community Development Block Grant (CDBG) funds in a nondiscriminatory manner. The Community Development Block Grant (CDBG) Program provides annual grants on a formula basis to states, cities and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. The CDBG program requires public agencies to develop, maintain and implement an Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act ADA/504 Self-Evaluation and Transition plan to ensure that programs, services, activities and facilities are accessible for persons with disabilities.

Duties and Fundamental Alteration

ADA Part 35.164 does not require a public entity to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. If the public entity believes that the proposed action would fundamentally alter the service, program, or activity or would result in undue financial and administrative burdens, a public entity has the burden of proving that compliance would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the head of the public entity or his or her designee after considering all resources available for use in the funding and operation of the service, program, or activity and must be accompanied by a written statement of the reasons for reaching that conclusion.

Methodology for the Self-Evaluation and Transition Plan

The City of Milford designated Michael Svaby and Mark Whitfield to provide oversight representation and direction regarding the study of City programs, services, activities, and events.

Several methods have been used to assess and provide comprehensive input regarding the public's accessibility to programs, services and activities offered by the City, including:

- A kick-off meeting was held on September 15, 2020 with DAC and City staff;
- A project start date of September 18, 2020 was confirmed to begin the surveys of facilities and public rights-of-way
- A website accessibility review was conducted for compliance with WCAG 2.0 Level AA;
- Opportunities were provided for public input;
- Survey was made available for community members and organizations representing persons with disabilities;
- Survey was made available for staff;
- Information and links to respond to a survey was placed in on the City's website;
- Review was conducted of the previous efforts by the City;
- Review was conducted of policies, procedures, and other documents;

- Review was conducted of programs, services, activities, and events;
- Inspections were performed for City sites, facilities, parks, public rights-of-way, and other areas;
- Information regarding the City's ADA Self-Evaluation and Transition plan update was posted on the City's website;
- Public postings and notices requesting input were displayed prominently on the City's website and in City facilities.

The City is using DACTrak accessibility management software to manage and implement the transition plan. Using DACTrak, the City can generate compliance assessment reports that provide the following information:

- A description of the noncompliant physical element
- Identification of the reason(s) a physical element is considered noncompliant
- Applicable federal and state accessibility code references that apply to the element
- Digital photographs of the noncompliant physical element
- Summary and detail aerial maps depicting the location of the noncompliant physical element, which can be exported into an ArcGIS file format
- Recommended method to bring the item into compliance
- A construction cost estimate when applicable
- A list of compliant elements found for each facility

The City of Milford ADA/504 Self-Evaluation and Transition Plan Executive Summary documents findings and recommendations by areas reviewed for compliance. Findings are indicated as "compliant", "partially compliant" or "not compliant".

Recommendations may include corrective action or activities that designate corrective action but enhance accessibility or are recommended to be continued as ongoing compliance activities.

Some areas overlap in terms of findings and recommendations and are reported in the executive summary. Some areas overlap as they are a part of the overall accessibility of the City. For example, if accommodation statements or procedures for requesting a reasonable accommodation by a person with a disability are not available, access to programs, services and activities may not be available.

Another example of overlap is the request for a reasonable accommodation for persons with disabilities in housing that is reported in the category of "Statement of Accommodations", but also discussed in "Access to Programs, Services and Activities."

Barriers to services may exist if physical barriers deny access to the services in the non-accessible area of the building and are reported in the transition plan as well as areas in the City's ADA/504 Self-Evaluation and Transition plan executive summary.

Background

Title II of the Americans with Disabilities Act (ADA) Part 35 requires nondiscrimination on the basis of disability in state and local governments as amended by the final rule published on August 11, 2016. Part 35.101 outlines the purpose and broad coverage. The purpose of this part is to implement subtitle A of Title II of the Americans with Disabilities Act of 1990 (42 U.S. C. 12131–12134), as amended by the ADA Amendments Act of 2008 (ADA Amendments Act) which prohibits discrimination on the basis of disability by public entities.

Part 35.102 of Title II of the ADA describes the application of the ADA and Section 504 of the Rehabilitation Act which requires state and local governments, such as city and county governments (referred to as public entities in this document) to ensure that their facilities, public rights-of-ways, policies, procedures and practices are accessible and do not discriminate against persons with disabilities. The ADA and Section 504 require the City to provide access to City programs, services, and activities. Buildings and public rights-of-way are assessed for compliance with accessibility standards and regulations, as a noncompliant building may, for example, deny access to a program, service, or activity of the City.

The ADA has five separate titles:

Title I:	Employment
Title II:	Public Services: State and Local Government
Title III:	Public Accommodations and Services Operated by Private Entities
Title IV:	Telecommunications
Title V:	Miscellaneous Provisions

The focus of the ADA/504 Self-Evaluation and Transition plan is Title II (owned by the public and open to the public) of the ADA to provide access to public areas of facilities and access to all City programs, services and activities. Title III (privately owned and open to the public) requirements are reviewed in selected cases due to the City's use of outside vendors and private groups and agencies during the provision of City programs, services, and activities. Thus, requirements of Title III do overlap and integrate into the current study in cases where the City contracts with outside vendors. Title I of the ADA provides requirements for employees and is not the focus of this study. Individual employee access accommodations are handled on a case-by-case basis.

Section 504 requires public entities that receive federal or state funding to ensure that they do not have any discriminatory practices. As such the requirements of Section 504 are very similar to those of the ADA that was passed by congress in 1990. Section 504 of the Rehabilitation Act of 1973 (Public Law 93-112) prohibits discrimination based on disability in federally assisted programs and the flow through sub-recipients, including contractors. The Americans with Disabilities Act passed in 1990 (Public Law 101-336) is a broader civil rights statute that prohibits discrimination against people with disabilities. In addition to the Department of Justice (DOJ), the Federal Highway Administration (FHWA) and the United States Department of Transportation (USDOT) have requirements for accessibility in accordance with the Americans with Disabilities Act (ADA) and Section 504. Pedestrians with disabilities should have an equal opportunity to use the pedestrian access routes in an accessible and safe manner.

As part of FHWA's regulatory responsibility under Title II of the ADA and Section 504 of the Rehabilitation Act of 1973, the FHWA is required to ensure that recipients of federal aid and state and local entities that are responsible for roadways and pedestrian facilities do not discriminate on the basis of disability in any highway transportation program, activity, service or benefit they provide to the general public, and to ensure that persons with disabilities have equitable

opportunities to use the public rights-of-way system. Furthermore, laws and regulations require that the public entity not discriminate, as well as accessible planning, design and construction to integrate persons with disabilities.

As the Delaware Department of Transportation (DelDOT) is a recipient of federal funds and cities, counties and other public entities are subrecipients of the flow through funding, public entities are required to demonstrate their compliance with the ADA and Section 504 of the Rehabilitation Act. A component of the DOT request is the development of a comprehensive ADA/504 Self-Evaluation and Transition plan. As such, completion of a comprehensive ADA/504 Self-Evaluation and Transition plan is an accepted practice to take the place of an updated Section 504 plan. As such, the City's ADA/504 Self-Evaluation and Transition plan meets the requirements of not only the ADA plan, but the Section 504 plan as well. By completing this comprehensive plan, the City will not only meet its ADA and Section 504 compliance requirements but will have a sustainable plan that can be updated, monitored, managed and will document progress for ongoing accessibility compliance.

The Department of Justice (DOJ) has rulemaking authority and enforcement responsibility for Title II, while USDOT is legally obligated to implement compliance procedures relating to transportation, including those for highways, streets, and traffic management. The Federal Highway Administration (FHWA) Office of Civil Rights oversees the DOT requirements in these areas. To ensure compliance, the Delaware Department of Transportation conducts reviews to ensure that:

- FHWA recipients and subrecipients are informed of their responsibilities to provide accessibility in their programs, activities, facilities and public rights-of-way;
- Recipients and subrecipients comply with the ADA and Section 504;
- Recipients and subrecipients are applying appropriate accessibility standards to all public rights-of-way and transportation facilities;
- All complaints filed under Section 504 or the ADA are processed in accordance with established complaint procedures.

Delaware law provides similar protections to Title II and Section 504. State law or other federal laws such as Section 504 may provide a higher level of protection than Title II of the ADA. The higher standard should be applied, whether state or federal.

Classification of the City of Milford

The City of Milford is classified as a "public entity" pursuant to Title II of the Americans with Disabilities Act which applies to state and local governments. A public entity covered by Title II is defined as a state or local government. As defined, the term "public entity" does not include the federal government. Title II, therefore, does not apply to the federal government, which is covered by Sections 501 and 504 of the Rehabilitation Act of 1973. Title II is intended to apply to all programs, activities, and services provided or operated by state and local governments. It also applies to contractors and vendors of the public entity. As Section 504 of the Rehabilitation Act applies to programs or activities receiving Federal financial assistance, the City understands that compliance with Section 504 is required.

Title II of the ADA covers programs, activities, and services of public entities. Title II is divided into two subtitles. This study focuses on subtitle A of Title II, which is implemented by the Department of Justice's Title II regulation. Subtitle B, covering public transportation, and the Department of Transportation's regulation implementing that subtitle, are not addressed in this study. The City did, however perform surveys and incorporate findings from City owned and maintained public rights-of-way. In accordance with the ADA and Section 504, public rights-of-way are considered programs, services and activities of the public entity.

Subtitle A, the focus of the City of Milford ADA/504 Self-Evaluation and Transition Plan, is intended to protect qualified persons with disabilities from discrimination on the basis of disability in the services, programs, or activities of all state and local governments. It additionally extends the prohibition of discrimination on the basis of disability established by Section 504 of the Rehabilitation Act of 1973, as amended, to all activities of state and local governments, including those that do not receive Federal financial assistance.

By law, the Department of Justice's Title II regulation adopts the general prohibitions of discrimination established under Section 504 and incorporates specific prohibitions of discrimination from the ADA. Section 508 standards for website accessibility are also incorporated into the study.

General Information About the City of Milford

According to historical information on the City's website:

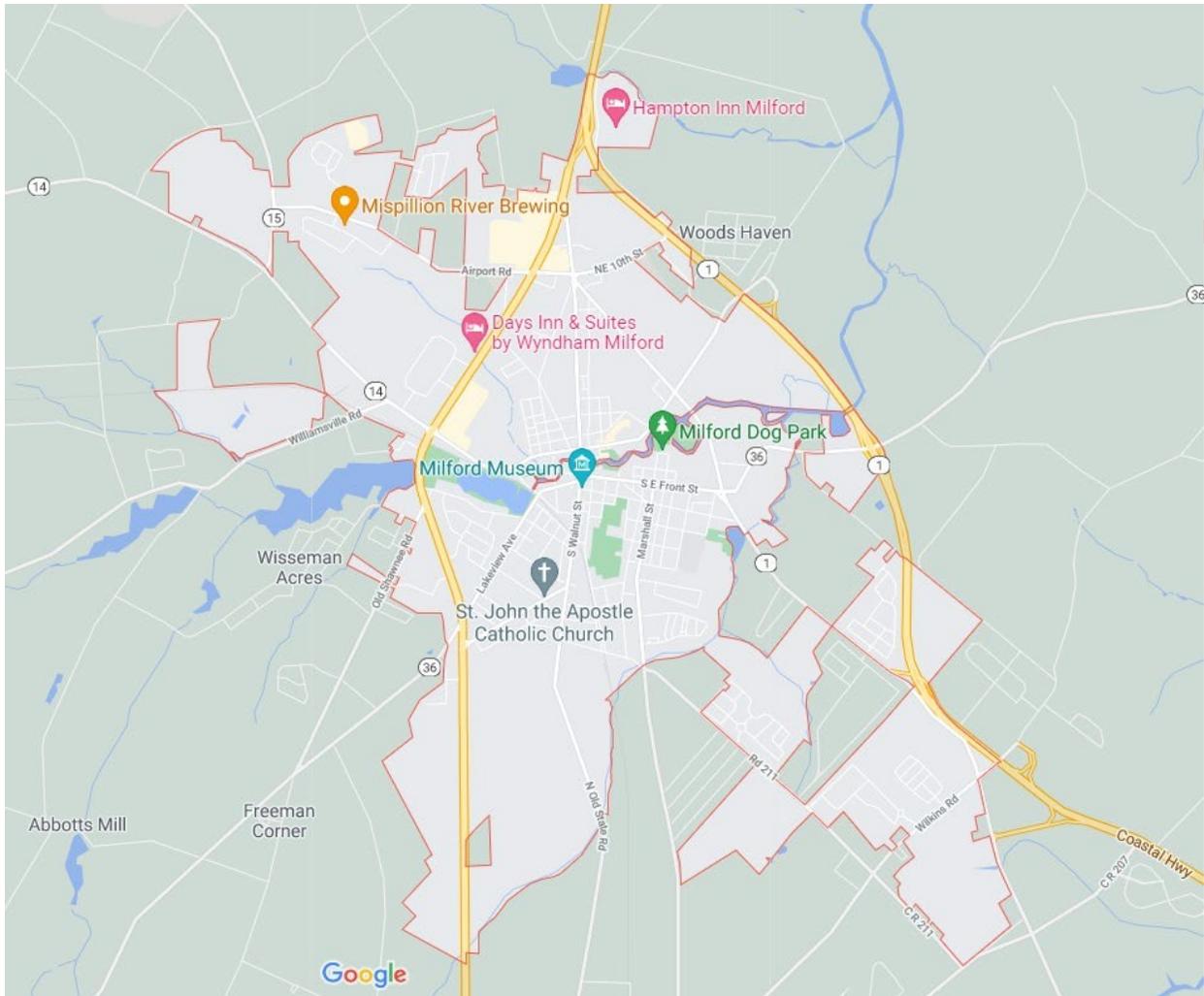
The Kent County side of Milford was first settled in 1680 by Henry Bowan on what was known as the Saw Mill Range. A century later the Reverend Sydenham Thorne built a dam across the Mispillion River to generate power for his gristmill and sawmill. Around the same time, Joseph Oliver laid out the first city streets and plots nearby on a part of his plantation. Soon a number of homes and businesses appeared along Front Street and Milford was born. The city was incorporated February 5, 1807.

In the 1770s, a ship building industry was already flourishing on the Mispillion River. Shipbuilding continued to be the major industry of Milford through World War I, bringing considerable prosperity to the town. The high point came in 1917 when the 4-masted, 174-foot (53 m) long Albert F. Paul was launched from the William G. Abbott shipyard. At one point 6 shipyards were operating in the downtown area. When the last of the area's giant white oaks was cut in the 1920s, the shipyards quickly went out of business, although the Mispillion ships sailed on for many years. (The Paul was sunk by a German torpedo in 1942 while sailing from the Bahamas.) The Vineyard shipyard was called into service in both World War I and II to build submarine chasers.

During much of the twentieth century Milford served primarily as the commercial center for much of southern Delaware's large agricultural community. Today Milford's historic downtown has become a renewed center of community life hosting upmarket boutiques, art galleries, restaurants and a community theatre. Celebrating the importance of the Mispillion River, downtown Milford is host to several regional events each year including the Riverwalk Freedom Festival and the Bug & Bud Festival. Residents and visitors alike can enjoy the natural resource as they walk, bike or run along the Mispillion Riverwalk, a series of pedestrian and bicycle paths that hug the banks of the Mispillion River.

As of the census of 2010, there were 9,559 people and 4,126 households in the city.

The following is a City boundary overlay map from Google Maps:



City Government

The City of Milford is a general law City with a Council-Manager form of government with a separately elected mayor and eight City councilmembers, two elected from each ward.

City Government

- Mayor
- City Council
- City Clerk
- City Manager

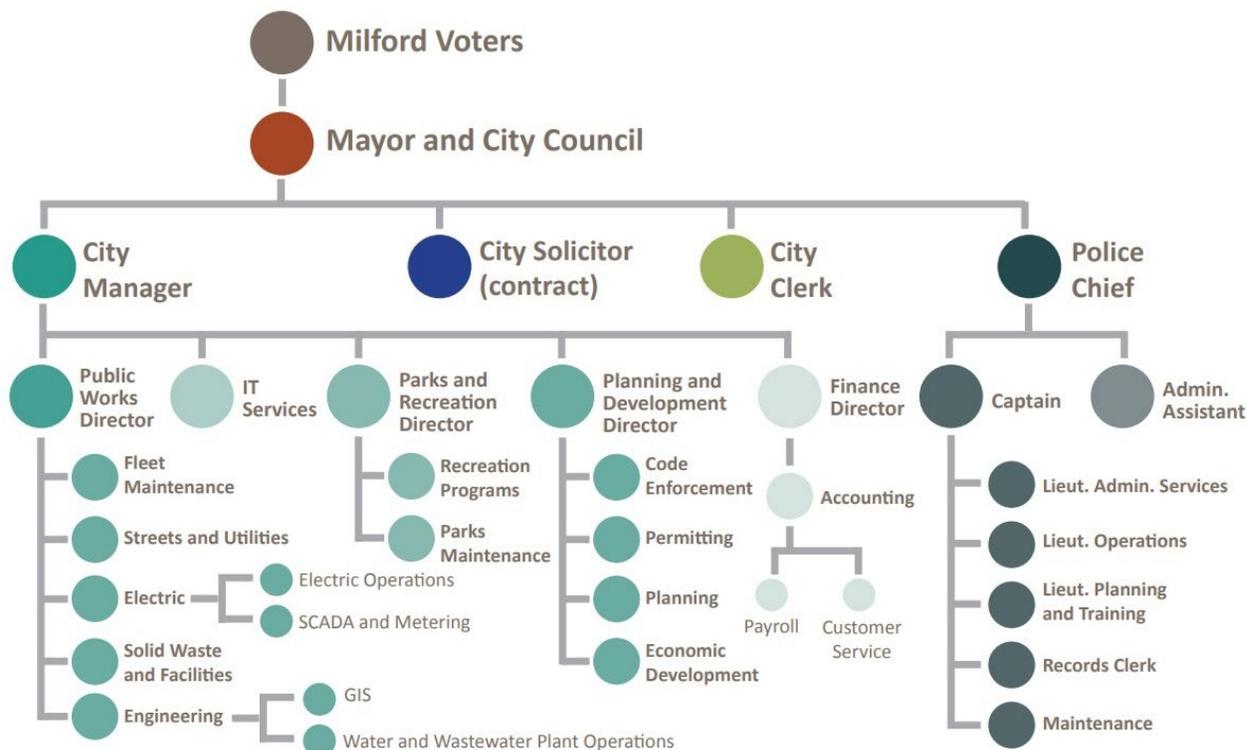
City Departments

- Assessment
- Customer Service/Tax & Utility Billing
- Finance
- Human Resources
- Information Technology
- Parks & Recreation
- Planning & Economic Development
- Police
- Public Works

City Organizational Chart

The following Organizational Chart was obtained from the City's Strategic Plan document, "Press Play: Vision 2023".

Organizational Chart



Differences Between a Self-Evaluation and a Transition Plan

The self-evaluation component of the ADA/504 plan identifies any barriers or potential barriers for persons with disabilities and includes a review of policies, programs, activities, services, and facilities. Barriers identified may include policies or procedures that could inadvertently discriminate against persons with disabilities. An example of a self-evaluation component that was reviewed is the City's website. The accessibility review of the website was conducted to determine if changes are needed to make the website more accessible. Many persons with disabilities use the information on the website to view activities, enroll in courses or to provide input. Another example is the use of inappropriate terminology such as the word "handicapped" instead of the term "person with a disability". A key and required component of the self-evaluation is the opportunity for input by the public, organizations that represent persons with disabilities, staff, and other interested persons. The City conducted activities to solicit comments and input by the public using a variety of methodologies to incorporate comments into the overall content and prioritization of the plan. Public outreach activities are discussed in the public outreach portion of this report. Detailed responses are included in the Appendix.

The transition plan on the other hand, assigns estimated (projected) dates for the removal of physical barriers identified in the plan as required by the ADA for public entities with more than 50 employees. The City, using DAC's recommended priority worksheet as one method for prioritization, is assigning dates for barrier removal in the City's transition plan and is developing an implementation plan over time that will incorporate priorities identified by the public and staff, concerns or complaints,

prevalence of use by persons with disabilities, current remodeling and construction projects, funding sources, resources and other variables related to the removal of physical barriers.

The term "transition plan" comes from the terminology in the 1990 Americans with Disabilities Act (ADA) that describes how public entities would be "transitioning" into compliance during the timelines of 1992 to 1995. The term "barrier removal" plan is used in addition to the term "transition plan", as public entities are no longer transitioning into compliance during the three years set aside in the law. The transition/barrier removal plan identifies the noncompliant barrier that may deny access to goods and services, the proposed method to remove the barrier, the identity of the responsible person to oversee the implementation of the plan and the projected schedule for barrier removal of "structural" barriers. The transition plan provides a schedule for the removal of barriers with estimated projected timelines. The self-evaluation, on the other hand, focuses on the identification of physical and programmatic barriers that may deny access to programs, services, and activities. The two plans work congruently to remove structural and programmatic barriers.

To effectuate Title II of the ADA, Department of Justice regulation 28 CFR 35.150(d) Transition Plan, requires public entities to review and identify physical barriers and steps needed to enable accessible programs. Public entities must ensure that people with disabilities are not excluded from programs, activities, and services because of inaccessible facilities. Each facility is not necessarily required to be accessible. A public entity's services, programs, or activities, when "viewed in their entirety," must be accessible. This standard is known as "program accessibility" and is a key requirement under Title II of the ADA.

A comprehensive transition plan should contain the following:

1. A list of the physical barriers in a public entity's facilities that limit the accessibility of its programs, activities, or services to persons with disabilities.
2. A detailed outline of the methods to be utilized to remove these barriers and make the facilities accessible.
3. The schedule for taking the necessary steps to achieve compliance with Title II of the ADA (the plan should identify the interim steps that will be taken during each year of the transition period).
4. The name of the designated person responsible for the plan's implementation (usually referred to as the ADA Coordinator or ADA/504 Coordinator).

Structural changes are not always required where there are other feasible solutions such as moving a service from an inaccessible location to an accessible location. However, structural changes leading to increased integration should be considered where feasible. Where structural modifications are required to achieve program accessibility, a public entity with 50 or more employees must complete a transition plan that provides for the removal of these barriers. Any structural modifications must be completed as expeditiously as possible and are required to be in the City's transition plan.

Prior ADA Self-Evaluation and Transition Plan

The 2020-2021 City of Milford ADA/504 Self-Evaluation and Transition Plan was conducted by DAC and updates accessibility surveys and studies that were conducted previously.

Regular Self-Evaluation and Transition Plan Updates

The ADA/504 plan is a living, ongoing document and requires regular updates to keep it current. As barriers are removed it is important to update the plan to reflect the current barrier removal progress. If for some reason existing sites are acquired by the City, or new facilities are built or acquired or no

longer used by the City, the City will need to update the ADA/504 plan. Many city and county governments have a practice of updating their plan on an ongoing basis to prepare a progress update.

In its continuing efforts to maintain compliance, the City has several mechanisms in place to provide for an ongoing update of the Self-Evaluation and Transition Plan to provide a realistic and manageable plan to remove barriers. The City has the use of a secure online accessibility management software called DACTrak, to update, document, and track the findings and the implementation of the plan, including progress reports.

In accordance with Part 35.150 of Title II of the ADA, the City's designated ADA Coordinator, Michael Svaby, is empowered with oversight responsibility for implementation of the requirements of the ADA, Section 504 and related accessibility standards and regulation and is currently appointed the ADA Coordinator. The City has also appointed Sandra Peck as the designated 504 Coordinator.

Accessibility standards and regulations may change and will be incorporated into the plan as appropriate. Updates may also be necessitated by changes in the ADA, the Delaware Building Code, Proposed Right-of-Way Accessibility Guidelines (PROWAG) and the Manual of Uniform Traffic Control Devices (MUTCD). An example requiring updates that was facilitated by litigation is on-street parking. Another example is the FHWA and DOT memorandum clarifying what is maintenance and what is an alteration as well as when alterations trigger curb ramp installations. Due to the intake methodology for the site inspections that captured actual and detailed field measurements, DACTrak can be updated as codes change, which allows the ADA/504 plan to stay current without the need to do any re-inspections.

Although the City actively solicited comments and surveys of programs, services and activities from City staff, community organizations and members of the public in March and April 2021, it is anticipated that additional comments and input may be received and incorporated into the plan as appropriate. As public input is important to develop and prioritize the plan, the City solicited input from the public and staff as described in the public input portion of this document. It is recognized that input from stakeholders is a valuable component of an updated, usable, and realistic plan.

Location of Self-Evaluation and Transition Plan

The City of Milford ADA/504 Self-Evaluation and Transition Plan will be maintained and made available for public review by the City's ADA Coordinator, Michael Svaby. The ADA/504 Self-Evaluation and Transition Plan is available in alternate formats, as requested.

Designated ADA and 504 Coordinator

The regulations implementing the ADA and Section 504 (504) require any public entity with fifty (50) or more employees to designate at least one employee to coordinate ADA compliance (28 CFR § 35.107(a)). In addition, federal regulations require public entities to make available to interested persons the name, office address and telephone number of the ADA Coordinator. Furthermore, in providing for notice, a public entity must comply with the requirements for effective communication in Section 35.160.

Although the law does not refer to this person as an "ADA Coordinator," this term is commonly used in state and local governments across the country and will be used in this chapter. Part 35.107 states that "a responsible person should be designated" to oversee and implement the plan. The ADA Coordinator is responsible for coordinating the efforts of the government entity to comply with Title II and investigating any complaints. A government entity may elect to have more than one ADA

Coordinator; however, this may be confusing for the public. Another option is to designate "ADA Liaisons" for departments or key areas of government in addition to the City's ADA Coordinator.

The requirement for designation of a particular employee and dissemination of information about how to locate that employee helps to ensure that members of the public, organizations, and staff can easily access the ADA Coordinator who is familiar with the requirements of the ADA.

The information below in the indented paragraph is extracted from the Department of Justice (DOJ) publication entitled "ADA Best Practices Tool Kit for State and Local Governments" and regards the requirements to designate a responsible person to oversee the ADA plan and initiatives, known as the ADA Coordinator.

"If a public entity has 50 or more employees, it is required to designate at least one responsible employee to coordinate ADA compliance in accordance with 28 C.F.R. part 35.107. A government entity may elect to have more than one ADA Coordinator. Although the law does not refer to this person as an "ADA Coordinator," this term is commonly used in state and local governments across the country and will be used in this chapter. The ADA Coordinator is responsible for coordinating the efforts of the government entity to comply with Title II and investigating any complaints that the entity has violated Title II. The name, office address, and telephone number of the ADA Coordinator must be provided to interested persons."

According to the DOJ Publication, an effective ADA Coordinator has, but is not limited to, the following skills:

- Familiarity with the state or local government's structure, activities, services
- Knowledge of the ADA and other laws addressing the rights of people with disabilities, such as Section 504 of the Rehabilitation Act 29 U.S.C. § 794
- Experience and understanding of a broad range of disabilities and acceptable terminology regarding disabilities
- Knowledge of effective communication for persons with disabilities, accessible alternative formats, technologies that enable people with disabilities to communicate, participate, and perform tasks
- Ability to work cooperatively with the local government and people with disabilities
- Familiarity with any local disability advocacy groups or other disability groups
- Skills and training in negotiation and mediation
- Organizational and analytical skills

FINDINGS

Compliant

- ✓ Michael Svaby is designated as the ADA Coordinator for the City of Milford. The direct contact information is publicly listed and is easily accessible on the City's website:

Mr. Michael Svaby, ADA Coordinator
City of Milford
180 Vickers Drive
Milford, DE 19963
Phone: (302) 387-9389
TTY through Delaware Relay at: 7-1-1
msavby@milford-de.gov

- ✓ Sandra Peck is designated as the 504 Coordinator for the City of Milford. The direct contact information is publicly available:

Ms. Sandra Peck, 504 Coordinator
City of Milford
10 SE Second Street
Milford, DE 19663
Phone: (302) 424-5144 x1144
speck@milford-de.gov

- ✓ Requests for information from the ADA and 504 Coordinators can be sent by multiple methods and include email, phone, or mail. The ADA and 504 Coordinators currently do not have a direct TTY number but can be reached by using the Delaware Relay Service by dialing 7-1-1.
- ✓ Information is available in alternate formats upon request.
- ✓ An Americans with Disabilities Act (ADA) webpage is provided for easy and accessible ADA related information, such as the identity of the ADA Coordinator, the City's statement of accommodation and nondiscrimination and the City's complaint and grievance procedure and form.

Partial Compliance

- ✓ 55% of the staff surveyed stated they knew the identity of the ADA Coordinator and when asked to provide the name, most correctly named Michael Svaby.
- ✓ 52% of respondents to the public input survey stated that they knew the identity of the ADA Coordinator or that they had not had a reason to seek out the information. When respondents were asked to provide the name of the ADA Coordinator, all respondents who offered an answer either stated Michael Svaby or that they had seen the information on the City's website and knew where to find it.

RECOMMENDATIONS

Additional recommendations listed will maintain and enhance the requirements and do not reflect corrective action, except for the need to provide more information in multiple methods regarding the identity of the ADA and 504 Coordinators.

- The posting of the identity of the ADA and 504 Coordinators should be maintained and updated to as needed if the City staff member holding that position changes.
- Information regarding the identity of the City's ADA and 504 Coordinators should continue to be provided to staff, posted at all City locations, incorporated into new employee orientation and volunteer packets, and placed in frequently used publications, on the website and in staff and public directories.
- It is recommended that the City publish the name, address, email address and phone number of the City's ADA and 504 Coordinators in appropriate public notices, brochures, pamphlets, press releases, the website and other documents frequently distributed to the general public. Publications should also include a TDD/TYY and/or the Delaware relay phone number.
- Publications should be updated if the identity of the ADA and 504 Coordinator changes or if more than one ADA Coordinator is designated.
- If additional City staff are assigned ADA duties specific to each department, the City could designate "ADA Liaisons" for certain areas in addition to the overall ADA Coordinator. This method will avoid confusion by the public regarding who to contact and may increase the

communication between departments. The designation of one ADA Coordinator will assist with the requirement to track complaints and their resolution (ADA and 504 requirement).

- City staff should receive information or training regarding the requirements and role of the ADA Coordinator and the 504 Coordinator when designated.

Grievance and Complaint Procedures

A public entity that employs fifty (50) or more people must adopt and publish grievance procedures and forms which provide for the prompt and equitable resolution of complaints alleging any action that would be prohibited by the ADA (28 CFR § 35.107(b)). The term "grievance procedure" is used by the Department of Justice. City governments may use the term "complaint" or "uniform complaint procedures" which may be identical or very similar. The current City grievance procedure and form are included in Appendix B.

A public entity that employs 50 or more people shall designate at least one employee to coordinate its efforts to comply with and fulfill its responsibilities under Title II of the ADA, including the investigation of complaints. A public entity shall make available the name, office address, and telephone number of any designated employee. In addition, the public entity must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by Title II of the ADA.

Section 35.107(b) requires public entities with 50 or more employees to establish grievance procedures for resolving complaints of violations of this part. Similar requirements are found in the Section 504 regulations for federally assisted programs (*see, e.g.,* 45 CFR 84.7(b)).

FINDINGS

Compliant

- ✓ The City of Milford grievance procedure and form are publicly posted and easily accessible from a link to the ADA Information page on the City's website. Hard copies of the policy and procedures are also available. A copy of the City's grievance procedure and form is included in Appendix B.
- ✓ Procedures for submitting a grievance are included.
- ✓ The grievance procedure includes the identity of the ADA Coordinator as well as contact information by mail, email, telephone and TTY/TDD through Delaware Relay.
- ✓ Alternative means of filing complaints are provided, such as personal interviews or tape recordings of the complaint, are available for persons with disabilities upon request.
- ✓ The grievance procedure states that if accommodations for persons with disabilities are needed, a person should contact the ADA Coordinator for assistance.
- ✓ The grievance procedure includes contact information for the City Manager member who would receive an appeal if the grievant is unsatisfied with the decision of the ADA Coordinator.
- ✓ The grievance form is provided as a fillable PDF format on the City's website which allows the grievant to electronically complete the form or print it to complete it manually if they choose. A statement on the procedure also notes that the ADA Coordinator can be contacted for documents in an alternative format.
- ✓ The City's grievance procedure notes that all written complaints and responses from the City will be retained by the City for at least three years.

- ✓ 94% of the staff surveyed stated they had not received any complaints regarding accessibility for persons with disabilities.

Partial Compliance

- ✓ 83% of respondents to the public input survey stated that they are not aware of any specific concerns or complaints regarding access for persons with disabilities to any of the programs, services or activities provided by the City. Of the respondents who answered yes, comments included inaccessible sidewalks, curb ramps and parking.

Not Compliant

- 90% of staff respondents stated that they were not familiar with grievance procedures for the public.

RECOMMENDATIONS

- The City should continue to make efforts to inform staff and the public of the existence of the City's ADA Coordinator, grievance procedures, the steps for handling grievances, and the City policies for remediation of grievances.
- The City should consider adding the identity of the 504 Coordinator to the grievance procedures. If the ADA Coordinator is the same as the 504 Coordinator, the identity should be posted as the ADA/504 Coordinator.
- Information regarding complaint procedures should be readily available to members of the public, as well as to employees and applicants. Procedures should outline the steps needed to resolve a complaint.
- The City can provide the grievance procedure and form in accessible alternate formats on the City's website.
- A method to collect data and collect a profile of complaints and grievances should be developed. The status of the complaint and the time from complaint to resolution should be documented to assist with interventions and staff development to reduce or eliminate repeated complaints.
- Complaint procedures and forms should be available at all City buildings and in all departments in addition to the website.
- Training should be provided to staff regarding the requirement and purpose of the grievance procedure.
- The City might consider the centralization of complaint handling to assist with the tracking of complaint resolution. A centralized database and analysis of types and locations of complaints may also assist with developing profiles to assist with targeting quality control and training measures. Centralized record keeping of such information will help the City to regularly update its compliance efforts, and plan for additional compliance implementation for training and budget considerations.
- The ADA Coordinator or designated staff can develop updated reports based on a profile of concerns or complaints to determine the needs for proposed training materials, agenda items, and proposed budget expenditures.
- Procedures should continue to be developed, implemented, and institutionalized to provide consistency for complaint resolution and record keeping.
- Grievance procedures should continue to provide an alternate point of contact other than the ADA Coordinator.

Notice of Rights and Protections Afforded by Title II of the ADA and Nondiscrimination Statements (Notice of ADA Provisions) and Policy Statements

Public entities are required to provide information to applicants, participants, beneficiaries, employees and other interested persons of the rights and protections afforded by Title II of the ADA (26 CFR §35.106). In providing for notice, a public entity must comply with the requirements for effective communication in Section 35.160. The notice of rights afforded to persons with disabilities includes a nondiscrimination statement and the method to request a reasonable accommodation.

The notice is required to include relevant information regarding Title II of the ADA, and how it applies to the programs, services, and activities of the public entity in a nondiscriminatory manner. The notice should include the contact information for the ADA or ADA/504 Coordinator.

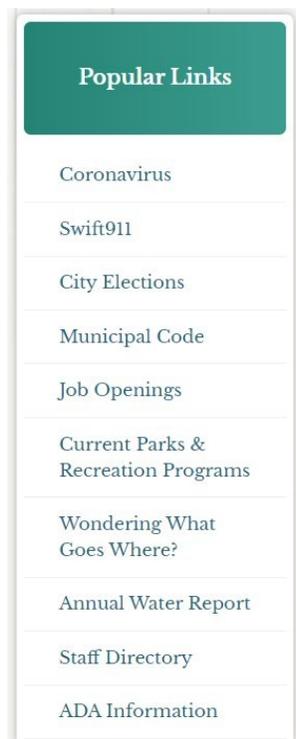
As recommended in the ADA Tool Kit published by the Department of Justice (DOJ):

Public notice about the ADA is required in accordance with 28 C.F.R § 35.106. The notice is required to include relevant information regarding Title II of the ADA, and how it applies to the programs, services, and activities of the public entity. The notice should not be overwhelming. An effective notice states the basics of what the ADA requires of the state or local government without being too lengthy, legalistic, or complicated. It should include the name and contact information of the ADA Coordinator.

FINDINGS

Compliant

- ✓ The City's Notice Under the Americans with Disabilities Act notice states "In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Milford will not discriminate against qualified persons with disabilities on the basis of disability in its services, programs, or activities." A copy of the City's notice is included in Appendix A.
- ✓ The notice also states that the City will make reasonable modifications to policies and programs and provide auxiliary aids or services to ensure equal opportunity to participate in a City program, service or event.
- ✓ The notice of the rights afforded persons with disabilities and the nondiscrimination statement, along with the methods to request an accommodation and/or to file a complaint are available and are posted on the City's website, in addition to posting in frequently visited locations throughout the City.
- ✓ The ADA notice of rights is located on the City's website on the Americans with Disabilities Act (ADA) page.
- ✓ The City's website contains a dedicated "ADA information" page which can be accessed by a link located on the City's website home page as shown in the screenshot to the right.
- ✓ The Notice Under the Americans with Disabilities Act states that "The City of Milford will not place a surcharge on a particular individual with a disability or any group of persons with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy."



Partial Compliance

- ✓ Only 19% of staff surveyed were aware of the City's nondiscrimination statement for the public and program participants.
- ✓ 81% of staff surveyed stated that they do not know or it was not applicable when asked if the nondiscrimination state included information for the City's ADA Coordinator and how to contact them.

RECOMMENDATIONS

Additional recommendations listed will maintain and enhance the requirements and do not reflect corrective action.

- The City should provide ongoing notice of the identity of the City of Milford ADA Coordinator on its website and in frequently used publications or documents accessed by the public and by recipients of programs, services, and activities.
- The notice should include the name, title, address, and phone numbers of the ADA Coordinator. The notice should include a TDD/TTY number and/or Delaware Relay number to ensure equally effective communication. Although not required, it is recommended that the notice include the email address for the ADA Coordinator.
- The notice may also be provided in applicable newspaper advertisements, on applications, at program sites, in program handbooks, in regular mailings, on legal notices, in requests for proposals/qualifications, on facility use agreements, and in contracts.
- Notices should be posted in conspicuous, high use locations on a regular basis in addition to the City's website.
- Information regarding the requirement to post the identity of the ADA Coordinator, notice of rights in accordance with the ADA and related information should be sent to each department by the ADA Coordinator or other appropriate official. A standard notice should be given as an example. Each department could add specific information applicable to the provision of programs, services, and activities.
- Posting and notice requirements should be updated if the identity of the ADA Coordinator changes or if more than one ADA Coordinator is designated.
- Nondiscrimination statements should be posted on frequently used publications for the public.
- Policies, practices, and procedures for nondiscrimination should refer to members of the public, in addition to employees, and address nondiscrimination regarding access to all programs, services and activities for persons with disabilities and not be limited to employment. The City should consider adopting a general nondiscrimination policy for access to programs, services, activities, applicants, and employees.
- Statements of nondiscrimination should be included on selected publications, brochures describing programs, services and activities offered by the City, new employee materials, recruitment materials, publications and frequently used forms and documents.
- Departments should be directed to include the statement in selected publications, documents, and forms.
- Contracts and vendors that provide printing and publication services should be notified of required statements, required font, and required contrast for accessible publications.

- The new employee orientation packet and volunteer information should include a statement of nondiscrimination by the City regarding the public's access to programs, services, activities, recruitment, and employment.

Public Notice Soliciting Input into the Development of the City ADA/504 Self-Evaluation and Transition Plan

For the purpose to develop an updated ADA/504 Self-Evaluation and Transition plan and to provide opportunities for input, public notices regarding the City of Milford ADA/504 Self-Evaluation and Transition Plan were developed and disseminated for public and staff input soliciting input into the development of the City of Milford ADA/504 Self-Evaluation and Transition Plan. The City's public input timeframe took place from March 11, 2021 to April 30, 2021. Comments are summarized throughout this document and the entire survey with comments is included in the Appendix C. The public notice requesting input into the development of the ADA/504 Self-Evaluation and Transition plan is included in Appendix A.

The City provided public notice through a variety of methods that included public input information placed on the City's website, online surveys, hard copy surveys, and emails to City employees.

Information about an opportunity for public input into the ADA/504 Self-Evaluation and Transition Plan was also made available through online news channels such as Milford Live, News Break and Spot On Delaware.

The following is a screenshot of the announcement on the City's website.

Posted on: March 15, 2021

City of Milford Begins Writing ADA Transition Plan – See how you can help!



City of Milford DE ADA Coordinator
 Mr. Michael Svaby
 180 Vickers Drive
 Milford DE 19963
 302-387-9389
msvaby@milford-de.gov

City of Milford DE 504 Coordinator
 Ms. Sandra Peck
 10 SE Second Street
 Milford, DE 19963
 302-424-5144, ext1144
speck@milford-de.gov

All: Attached, you will find a survey of questions designed to supplement information gathered that will be used to create an ADA transition plan for the City. The survey takes approximately 5-10 minutes to complete. Your input is invaluable in our efforts toward creating a positive, comprehensive plan for the City. Your complete candor is necessary in order to determine the area of possible improvement areas such as accommodations, accessibility, training and education.

If you are responding on behalf of an organization, please click on this link and take the survey:
https://dac.sjc1.qualtrics.com/jfe/form/SV_cYoeAkCHW7CVFvn

If you are an individual survey participant, please click on this link and take the survey:
https://dac.sjc1.qualtrics.com/jfe/form/SV_6kQN4kVGEEdHbZr

Your input is great is greatly appreciated. Thanks in advance for your support of this important Program. If you have any questions, please contact ADA Coordinator Michael Svaby at 302-387-9389 or msvaby@milford-de.gov.

Statement of Accommodations on Public Notices, Agendas and Documents

Statements of accommodations should be available on public notices, agendas, and other documents. A statement regarding reasonable accommodations or modifications that can be provided by the City generally affords persons with disabilities an opportunity to participate in meetings, events, and programs of the City. For example, a sign language interpreter or assistive listening device may be needed in order to participate.

A public entity must administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified persons with disabilities (i.e., in a setting that enables persons with disabilities to interact with nondisabled persons to the fullest extent possible), and persons with disabilities must be provided the option of declining to accept a particular accommodation (§ 35.130(d)(e)).

FINDINGS

Compliant

- ✓ A statement of accommodation is found on the City's Notice Under the Americans with Disabilities Act. The statement reads, "The City of Milford 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 Milford 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 Milford should contact the office of the program, service or activity coordinator as soon as possible but no later than 48 hours before the scheduled event." The notice also includes the direct contact information for the City's ADA Coordinator.

Partial Compliance

- ✓ 79% of staff survey respondents state that they did not know if there is a policy in place for responding to requests from the general public for accommodations to their department's programs allowing persons with disabilities to participate. 9% of staff responded that there is a policy.

Not Compliant

- Statements of accommodation were not found on reviewed meeting agendas for City Council, Boards or Committee meetings.

RECOMMENDATIONS

- It is recommended that a "statement of accommodation" be included on all postings (hard copy and on the website) of agendas, meetings, events, programs, and activities for public facing documents.
- The City should consider a consistent or standardized accommodation statement with language that includes a minimum timeframe to request an accommodation prior to the City and includes the contact person, address or location, phone number and email address.
- Information regarding the purpose and requirement for an accommodations statement and training should be developed and disseminated to all City departments.
- Alternate methods for requesting an accommodation should be added to all statements of accommodation and should include phoning in the request, postal mail, email, or dropping off the request for accommodation at City sites.

- Contact information including a TDD/TTY or Delaware Relay number for requesting an accommodation should be included on all statements of accommodations.

Opportunities for Input

The regulations which implement the ADA require public entities to provide an opportunity to interested persons and organizations to participate in the self-evaluation process. For three years after completion of the self-evaluation, the public entity must keep records of any problems identified (28 CFR §35.105 (a)(b)).

FINDINGS

Compliant

- ✓ The timeframe for the opportunity for public input was March 2021 to April 2021:
 - Opportunity for staff comments was March 11, 2021 to April 2, 2021
 - Opportunity for public and organization comments was March 15, 2021 to April 30, 2021.
- ✓ Multiple types of surveys were developed and disseminated to solicit input into the City of Milford ADA/504 Self-Evaluation and Transition Plan. Surveys were developed to encourage input from the public, organizations and City staff.
- ✓ The City provided opportunities using different methodologies to solicit input into the City plan:
 - The City posted a notice on their website that the City was collecting comments to assist the City to implement its ADA transition plan. The notice included survey links to the public and organizational surveys and included the contact information for the ADA Coordinator as an alternate method to provide input.
 - Surveys were available in hard copy format at City facilities and upon request.
 - An email was sent to City employees that included a link to the online staff survey.
 - Letters and emails were sent out to targeted organizations that serve persons with disabilities.
- ✓ Information that the City was providing an opportunity for public input into the ADA/504 Self-Evaluation and Transition Plan was also made available through online news channels such as Milford Live, News Break and Spot On Delaware.
- ✓ Survey questions and responses collected during the public input process have been compiled and are included in Appendix C. A summary and analysis of the survey comments is included in the text of this document.
- ✓ Public notices and postings soliciting input are included in Appendix A.

RECOMMENDATIONS

- Although no additional activities are required, the City may wish to conduct periodic customer satisfaction surveys targeted for persons with disabilities or gather input from recipient of services as an ongoing activity. An additional emphasis may include outreach activities to collect and integrate input from persons with disabilities and organizations representing persons with disabilities on an ongoing basis.

Summary of Results of Opportunities for Input

Surveys were used to solicit input from the **public, organizations, and City staff**. Select responses are included throughout this report. The complete surveys and responses are in Appendix C. Survey comments are the actual comments submitted and have not been redacted for spelling or grammar.

The summary of the number of responses that the City received to each survey is as follows:

- Survey for Staff and Administrators: 33 survey responses
- Survey for Public Input: 36 survey responses
- Survey for Area Organization Input: 1 survey response

Access to Programs, Services, Activities and Events

A public entity may not adopt official policies that are discriminatory or engage in practices that are discriminatory. This prohibition applies to policies that are explicitly exclusionary and to those which appear to be neutral but have a discriminatory effect (28 CFR §35.130(b)(3)). Title II of the ADA requires public entities to ensure that all public meetings and events sponsored are readily accessible to persons with disabilities and provide opportunities for participation. Policies and procedures need to ensure that persons with disabilities are provided equal opportunity to access programs, services, and activities of the City. Part 35.149 specifically requires nondiscriminatory practices in order to have program accessibility. The ADA/504 does not specifically state how a public entity provides for accessibility to programs, services, and activities.

Under the ADA, the City is required to "make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability." The City is required to do so unless it can demonstrate "that making the modifications would fundamentally alter the nature of the service, program, or activity" [28 CFR § 35.130 (7)]. Public entities are subject to all applicable state and federal laws that govern accessibility for persons with disabilities. These laws include the Americans with Disabilities Act, the federal Section 504 of the Rehabilitation Act of 1973, and state constitutional provisions.

Except as otherwise provided in § 35.150, no qualified individual with a disability shall, because a public entity's facilities are inaccessible to or unusable by persons with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.

A few general examples to increase access to programs, services and activities include, but are not limited to:

- Public entities that adopt website postings as an alternative method of notice must ensure that the website is readily accessible to people with disabilities, including persons who use screen readers.
- Applications should be available in other methods and not only online.
- All open meetings of public entities must be accessible to persons with disabilities. Meeting locations must be accessible without the need for special assistance.
- Sign language interpreters for deaf or hearing-impaired persons must be provided, subject to reasonable advance notice.

FINDINGS

Compliant

- ✓ No intentional discriminatory practices were found regarding access to programs, services, and activities.
- ✓ 94% of staff surveyed stated they had not received or were aware of any specific concerns, complaints, or problems regarding accessibility.
- ✓ The City's Notice Under the Americans with Disabilities Act states, "In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Milford will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities". A copy of the City's ADA notice is included in Appendix A.
- ✓ The ADA notice states, "The City 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 the City of Milford offices, even where pets are generally prohibited."
- ✓ The City of Milford affirms in the ADA notice that "The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City programs, services, and activities."
- ✓ The City of Milford Park, Pavilion and Equipment Reservation Application brochure notes in item number 4 of the park rental policies that the facilities are accessible.

PARK RENTAL POLICIES

RULES & REGULATIONS:

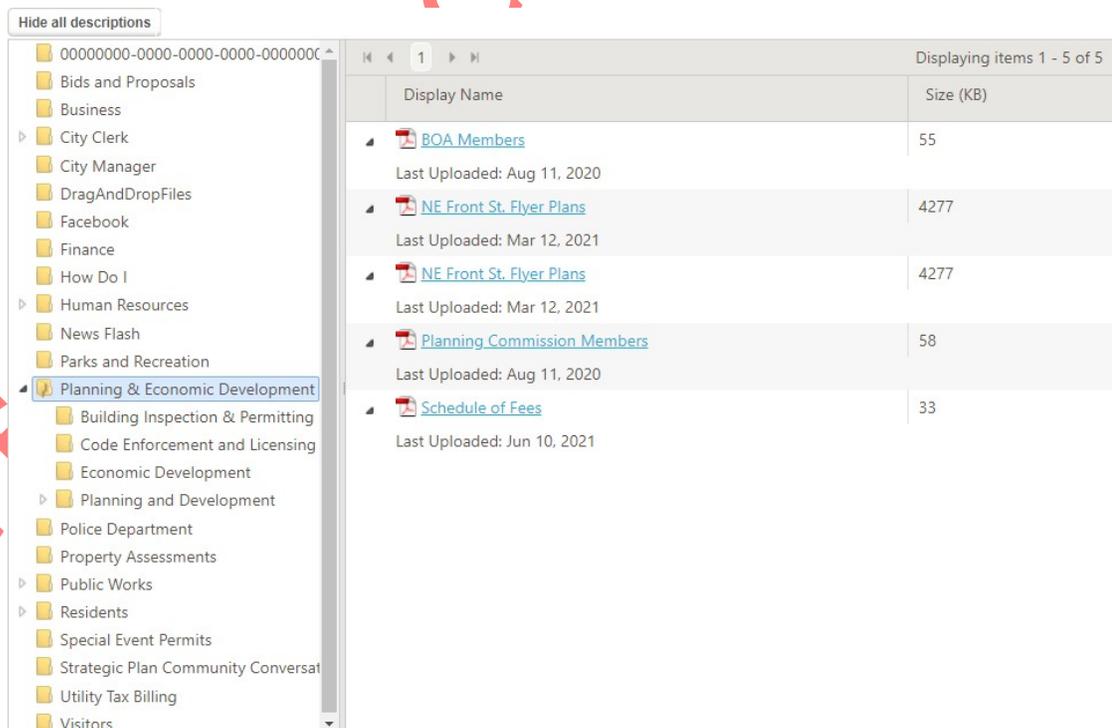
1. Patrons are required to remove all trash they bring into the park, hence our "CARRY IN-CARRY OUT" trash policy (trash bags are available at the P&R office).
2. Dogs or other pets are NOT ALLOWED in the parks during rentals or special events.
3. Your deposit will be refunded if the park is found to be clean and no damage has occurred to the park, facilities, or equipment.
4. Parks, pavilions, and parking lots are handicapped accessible (this includes the playground).
5. Parking is allowed at the Milford Shopping Center (the Salvation Army does NOT allow any parking near their building)
6. NO alcohol or smoking allowed.
7. You may be required to hire police to patrol your event as determined by P&R Director.
8. If it is determined that portable toilets are needed, it will be your responsibility to rent them.
9. Special events can only take place from 9am-dusk on Mondays - Saturdays and from 1pm-6pm on Sundays.
10. All applications will take 30 days to process.
11. Please submit your festival set-up plans for the entire park. If your permit involves fencing off any area of a public park, you must submit a drawing of those plans.
12. Unreasonable or raucous sound may be fined as per Milford City Code.
13. You MUST provide a copy of a section of your Homeowners or Renters Insurance known as the "Declaration Page" or a "certificate of liability" from your business.

- ✓ Staff surveyed stated that the highest priority to improve accessibility included, but was not limited to the following:
 - Accessible and compliant sidewalks, curb ramps and crosswalks
 - Awareness and education
 - Accessible City buildings
- ✓ The City's website offers information on multiple methods that can be used for residents to make payments on utility and tax bills, including:

- Online payments and automatic withdraws from a bank account
 - Drop box at City Hall
 - Drive up window at the Customer Service Office
 - In person payments inside the Customer Service Office
- ✓ City Municipal Code §193-5 Collection procedures for solid waste containers includes an assisted collection option for persons with disabilities or medical conditions who are unable to move a container to the curb for collection. The text of the code states that there is no cost to the consumer if they qualify for assisted collection.
 - ✓ 72% of staff who responded that participants are required to fill out a form to participate in a program of their department stated that the form is available both online and in hard copy. 14% of staff stated that the form is online only and the remaining 14% stated the form is only available in hard copy. The majority of staff who responded to this question stated that there is no applicable form for their programs.
 - ✓ 87% of staff respondents stated that they are not aware of any areas or elements of the facilities that their department utilizes that are not accessible to persons with disabilities.

Partial Compliance

- ✓ Permit applications on the City’s website under “Building Inspections and Permitting” are only available as non-fillable PDF documents. Persons completing the applications would need to have software that allows a user to type onto the PDF document to fill them out or print them to complete manually. This format would be inaccessible for persons with mobility and low vision challenges who are not able to read or hand write responses on a hard copy document.
- ✓ The City offers a Document Center online catalogue which provides easy public access to many of the City policy and procedure documents, as well as applications and forms, as shown in the following example excerpt screen shot.



- ✓ 47% of staff respondents stated that their department requires that public meetings and conferences be held in accessible locations.

Not Compliant

- Statements of accommodation or information on how to request modifications for persons with disabilities to participate in City programs, services and activities were not found on reviewed meeting agendas or publications.
- 81% of staff stated no, that they did not know, or it is not applicable when asked if a notice under the Americans with Disabilities Act or a nondiscrimination statement is available and posted for program participants who may be persons with disabilities.

RECOMMENDATIONS

- The City should continue to disseminate information in a variety of locations and methodologies with accessible formats to enhance the access to programs, services, and activities.
- The ADA and 504 Coordinators should continue to monitor and receive information regarding concerns or issues about access to programs, services and activities and take the appropriate action regarding any potential discriminatory practices for persons with disabilities.
- Social media platforms should be reviewed on a regular basis to make sure that they are accessible for persons with disabilities.
- The ADA and 504 Coordinators should continue to monitor programmatic access and the removal of structural barriers in the transition plan.
- Additional and ongoing training should be provided regarding the requirements of the Americans with Disabilities Act and accommodations that provide equal access to programs, services, and activities.
- Meetings and events open to the public should be held in buildings that meet accessibility requirements, or in the accessible portion of the building with accessible elements that serve the area where the meeting or event is held. For example, parking, restrooms and drinking fountains that serve the area where the meeting and event is held should also be accessible.
- Information regarding a facility should include information regarding accessible features and elements of the site. For example, accessible parking, accessible restrooms and other items and elements should be indicated on documents and on the website. Indicating accessible paths of travel and accessible entrances also provides valuable information for persons with disabilities. A contact number and email address should be provided for additional assistance.
- Information about how to request accommodations should appear on all public-facing notices, announcements, and agendas. Information should be disseminated to all departments and divisions regarding the statement for accommodations requirement.
- The City should provide training for staff and volunteers regarding accommodations for persons with disabilities. All staff, and in particular frontline staff such as receptionists and staff with high public contact, should receive training on interacting and accommodating persons with disabilities.
- Additional training materials and videos should be purchased or developed to assist with training efforts and to allow for access by City staff as schedules permit.
- The City's ADA Coordinator should assist departments with planning and budgeting for selected accommodations, such as large print, Braille materials and other accessible formats.
- A centralized method for producing alternate formats, such as Braille, may provide a cost savings and reduce the timelines to produce alternate formats.

Outreach Materials and Activities

The ADA/504 does not specifically state how a public entity provides for accessibility to the City's programs, services, and activities. One method is to disseminate information in a variety of locations and formats to enhance the access to programs, services, and activities of the City.

FINDINGS

Compliant

- ✓ Meeting minutes from an October 2020 City Council meeting noted that the Milford Police Department is working with the Delaware Department of Justice to obtain translated information about safety topics that the department can post to social media platforms in Spanish to improve outreach to the Spanish speaking community. The meeting minutes noted that the Police Department already posts emergency information regarding hurricanes and coastal storms in Spanish that they receive translated from the National Weather Service.
- ✓ The City's website includes information on numerous public outreach events and workshops held for a variety of City plans and projects, including but not limited to:
 - Milford Bicycle Master Plan 2011
 - Milford Bicycle Master Plan 2021update
 - Milford Comprehensive Plan 2018 update
 - Milford Strategic Plan
- ✓ The City offers residents the opportunity to subscribe to a notification service to have City updates delivered by email or text messages. Residents also have the choice to select alerts for specific or multiple topics.

You Are Here: Home > Notify Me

Notify Me

1. Type your email address in the box and select Sign In.
2. If you want to receive text messages enter your phone number and select Save.
3. To subscribe or unsubscribe click and/or next to the lists to which you wish to subscribe/unsubscribe.

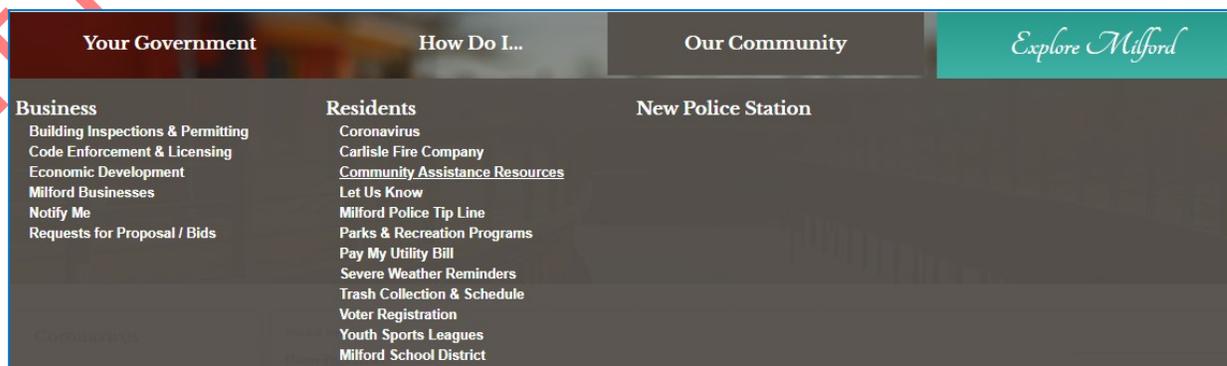
Please sign in to subscribe, unsubscribe, or manage your subscriptions

Email Address

Available Lists

- All
- Notify Me
- Alert Center
- Bid Postings
- Calendar
- News Flash

- ✓ The City of Milford website offers a resource directory for area organizations that provide services to residents of the City. The link to the Community Assistance Resources is available in the "Our Community" drop down menu at the top of each page of the City's website.



Partial Compliance

- ✓ 7% of the staff surveyed stated they do include images of persons with disabilities in their materials, website or publications. The majority of staff respondents replied that this is not applicable to their department.
- ✓ 69% of City staff surveyed responded that they did not know when asked if they are aware of any persons with disabilities currently serving on any of the department advisory boards or committees.

RECOMMENDATIONS

- The City should consider including additional pictures and references to persons with disabilities in publications, brochures, and materials.
- Organizations representing persons with disabilities and areas with an increased population of persons with disabilities could be targeted for input regarding additional methods to disseminate information regarding programs, services, and activities of the City.
- In City publications or on the website, areas or services that are accessible should be indicated with descriptive text and the International Symbol of Accessibility (ISA). For example, accessible restrooms and routes can be designated on the website, on maps and in publications.

Service Animals

Persons with disabilities shall be permitted to be accompanied by their service animals in all areas of a public entity's facilities where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go (28 CFR § 35.136(g)).

The Department of Justice (DOJ) published revised final regulations implementing the Americans with Disabilities Act (ADA) for Title II (State and local government services) and Title III (public accommodations and commercial facilities) on September 15, 2010, in the Federal Register. These requirements, or rules, clarify and refine issues that have arisen over the past 20 years and contain new, and updated, requirements, including the 2010 Standards for Accessible Design (2010 Standards).

Beginning on March 15, 2011, only dogs and miniature horses are recognized as service animals under Titles II and III of the ADA. A service animal is a dog (in some cases a miniature horse) that is individually trained to do work or perform tasks for a person with a disability. Public entities, such as the City, must permit service animals to accompany people with disabilities in all areas where members of the public are allowed to go.

FINDINGS

Compliant

- ✓ The City's Notice under the Americans with Disabilities Act states that "individuals with service animals are welcomed in offices, even where pets are generally prohibited." A copy of the ADA notice is included in Appendix A.
- ✓ Dog licensing for the City is managed by the State of Delaware Office of Animal Welfare. Details about licensing requirements state that the registration fee is waived for service dogs, as well as dogs that have performed military service.

Partial Compliance

- ✓ The City's park rules available on the City's website state that dogs or other pets are not permitted in the parks during rental or special events. The statement does not mention an exception for service animals.
- ✓ Section §165-6 "Rules and Regulations" of the City's Municipal Code states that "Dogs and other pets are not permitted in the parks during rentals or special events, except as specified and in an approved Special Event Permit." The code does not mention an exception for service animals.
- ✓ Section §79-4 "Leash required; exceptions" of the City's Municipal code states "No animal shall be permitted in or upon any public street, sidewalk, alley, park, parkway or other public place in the City or in or upon any property belonging to said City unless said animal is on a leash and is under the complete control of the person owning or, at the time, in possession of said animal.". The code states that there is an exception to the leash requirement at dog parks but does not mention an exception for service animals that must be off leash to perform their trained tasks.
- ✓ 88% of staff survey respondents stated that they did not know if their department has a policy for service animals.

RECOMMENDATIONS

- Staff should be provided information regarding service animals to understand the definition of a service animal and that service animals must be permitted to go to all public areas with a few exceptions such as spas. Information should be provided to staff to assist them to recognize a service animal and to understand the questions that they can ask. It should be clarified that it is never acceptable to ask about the person's disability.
- The City should develop policies regarding service animals for all applicable programs, services, and activities of the City.
- The City should not exclude certain breeds of dogs as restrictions for a particular breed may be discriminatory and may exclude a qualified, trained service animal.
- Information about service animals should be provided to City staff in addition to training regarding service animals and in publications.
- Language in any pet ordinance should be modified or updated to ensure it is inclusive and not limited to only dogs or guide dogs or to a specific type of disability.

Other Power-Driven Mobility Devices

According to the Department of Justice: "Other power-driven mobility device means any mobility device powered by batteries, fuel, or other engines whether or not designed primarily for use by persons with mobility disabilities that is used by persons with disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices (EPAMDs), or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair within the meaning of this section."

A public entity is required to make reasonable modifications to their policies, practices, and procedures when necessary to enable an individual with a disability to use a power-driven mobility device to participate in its services, programs, or activities unless doing so would result in a fundamental alteration of their services, programs, or activities (28 CFR § 35.137(b)).

A public entity shall permit persons with mobility disabilities to use wheelchairs and manually powered mobility aids, such as walkers, crutches, canes, braces, or other similar devices designed for use by persons with mobility disabilities in any areas open to pedestrian use, unless the public entity can demonstrate that the class of other power-driven mobility devices cannot be operated in accordance with legitimate safety requirements that the public entity has adopted pursuant to 35.130.

In determining whether a particular other power-driven mobility device can be allowed in a specific facility as a reasonable modification, a public entity may consider:

- The type, size, weight, dimensions, and speed of the device;
- The facility's volume of pedestrian traffic;
- The facility's design and operational characteristics (*e.g.*, whether its service, program, or activity is conducted indoors, its square footage, the density and placement of stationary equipment, furniture or devices);
- If legitimate safety requirements can be determined to permit the safe operation of the other power-driven mobility device; and
- If the use of the other power-driven mobility device creates a substantial risk of serious harm to the environment.

FINDINGS

Partial Compliance

- ✓ While not a policy for other power-driven mobility devices, section §84-9 "Safety equipment" of the City's Municipal Code includes requirements for safe daytime and nighttime operation of motorized scooters and wheelchairs and requires all motorized scooters and wheelchairs that will be operated on public streets to be equipped with a braking system. This section defines motorized scooters and wheelchairs as "Any self-propelled device, regardless of the number of wheels, powered by any style motor, which is designed and intended primarily for use by individuals with mobility disabilities."
- ✓ 84% of staff respondents stated that they did not know if there is policy in place for other power-driven mobility devices.

Not Compliant

- Information, policies and procedures regarding other power-driven mobility devices (OPDMD) by persons with disabilities in City facilities, parks and public rights-of-way were not found, outside of the safety equipment requirements for motorized scooters and wheelchairs in the City's Municipal Code.

RECOMMENDATIONS

- It is recommended that the City develop a policy for OPDMD and disseminate the information.

Ticketing and Seating

The Department of Justice published revised final regulations implementing the Americans with Disabilities Act (ADA) for title II (State and local government services) and title III (public accommodations and commercial facilities) on September 15, 2010, in the Federal Register. These requirements, or rules, clarify and refine issues that have arisen over the past 21 years and contain new, and updated, requirements, including the 2010 Standards for Accessible Design (2010 Standards).

Providing equal opportunity to people with disabilities is the fundamental principle of the Americans with Disabilities Act (ADA). This publication provides guidance on the Department's new nondiscrimination requirements that apply to selling tickets for assigned seats at events such as concerts, plays, and sporting events. The requirements, which are identical for title II and title III entities, apply to tickets sold for single events and those sold for a series of events (e.g., subscriptions or season tickets).

A public entity that sells tickets for a single event or series of events shall modify its policies, practices, or procedures to ensure that persons with disabilities have an equal opportunity to purchase tickets for accessible seating (28 CFR § 35.138).

FINDINGS

Compliant

- ✓ The City's Notice under the Americans with Disabilities Act states that the City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all its programs, services, and activities.

Not Compliant

- There were no policies found for ticketing or seating regarding persons with disabilities.
- 100% of staff surveyed responded that they did not know or the question was not applicable when asked if policies and procedures were in place regarding selling tickets and assigning seating for persons with disabilities.

RECOMMENDATIONS

- The City should develop policies regarding ticketing and seating for persons with disabilities.
- The City should continue to provide ADA notices and other documents that it will make all reasonable accommodations and modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.
- The City should describe the features of available accessible seating to permit a person with a disability to assess independently whether a given accessible seating location meets their accessibility needs.
- The City should provide materials, such as seating maps, plans, brochures, pricing charts, or other information identify the location and type of accessible seating.

Eligibility Criteria

Public entities cannot use eligibility criteria that tend to exclude or screen out persons with disabilities (28 CFR §35.130(b)(8)).

FINDINGS

Compliant

- ✓ There was no evidence of discriminatory practices regarding eligibility criteria for access to programs and services.
- ✓ The City of Milford offers residents a medical certification program that prevents electrical service to be shut off over outstanding payments if termination of electric service will adversely affect the health or recovery of the customer at the address. Qualifying medical needs include but are not limited to:

<input type="checkbox"/> Nebulizer for Asthma/COPD	<input type="checkbox"/> Oxygen Concentrator	<input type="checkbox"/> Infant Apnea Monitor
<input type="checkbox"/> Heart Monitor	<input type="checkbox"/> Ventilator/Respirator	<input type="checkbox"/> Feeding (Pump)
<input type="checkbox"/> Home Dialysis Treatment	<input type="checkbox"/> Refrigeration for Insulin	<input type="checkbox"/> Other (*)

RECOMMENDATIONS

- Program eligibility criteria should be reviewed on an ongoing basis as they are drafted or modified to ensure that eligibility criteria do not put additional burdens or requirements on persons with disabilities.
- The City should continue to ensure that all eligibility criteria allow for accommodations for persons with disabilities.

Fees and Surcharges

Public entities may not charge a fee or add a surcharge to a fee to cover the cost of making its facilities, programs, services, or activities accessible to persons with disabilities (28 CFR § 35.130(f)).

FINDINGS

Compliant

- ✓ There was no evidence of additional surcharges or fees charged to persons with disabilities that were not charged to individuals without disabilities to access programs, services, and activities.
- ✓ The City’s ADA notice states that “The City will not place a surcharge on a particular individual with a disability or any group of persons with disabilities to cover the cost of providing auxiliary aids and services or reasonable modifications of policy.”
- ✓ City Municipal Code §193-5 Collection procedures for solid waste containers includes an assisted collection option for persons with disabilities or medical conditions who are unable to move a container to the curb for collection. The text of the code states that there is no cost to the consumer if they qualify for assisted collection.

Partial Compliance

- ✓ 70% of staff surveyed responded that they did not know or the question was not applicable when asked if an additional fee is charged for modifying the program for a person with disabilities. 30% responded no. No staff responded yes to this question.

RECOMMENDATIONS

- The City’s ADA Coordinator should continually review fee policies and practices for consistency and to ensure that fees and surcharges are not charged to persons with disabilities that are not charged to persons without disabilities.

Emergency Procedures

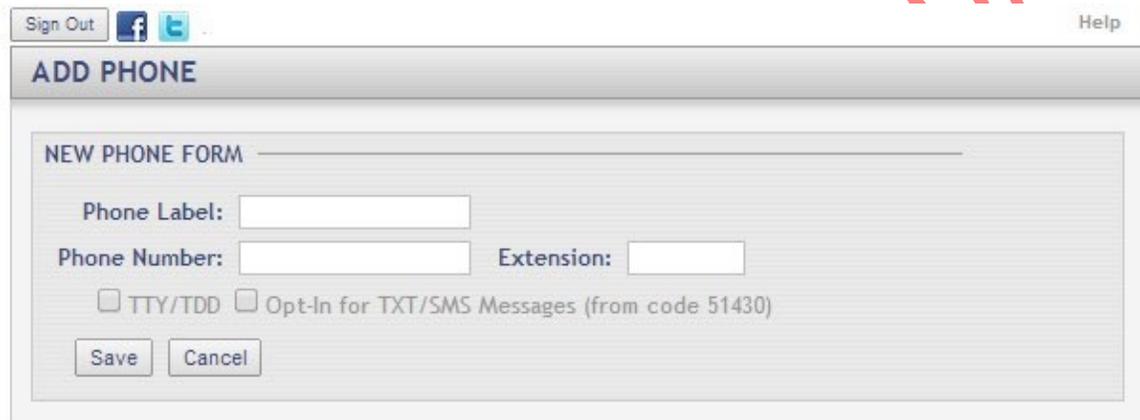
Under Title II of the ADA, emergency programs, services, activities, and facilities must be accessible to people with disabilities and generally may not use eligibility criteria that screen out or tend to screen out people with disabilities. The ADA also requires making reasonable modifications to policies, practices, and procedures when necessary to avoid discrimination against a person with a disability and taking the steps necessary to ensure effective communication with people with disabilities. The ADA generally does not require state or local emergency management programs to take actions that would fundamentally alter the nature of a program, service, or activity or impose undue financial and administrative burdens (28 CFR § 35.130(b)(1)) (28 CFR § 35.149).

The City is required to plan to meet the needs of persons with disabilities in an emergency and provide access to emergency shelter services.

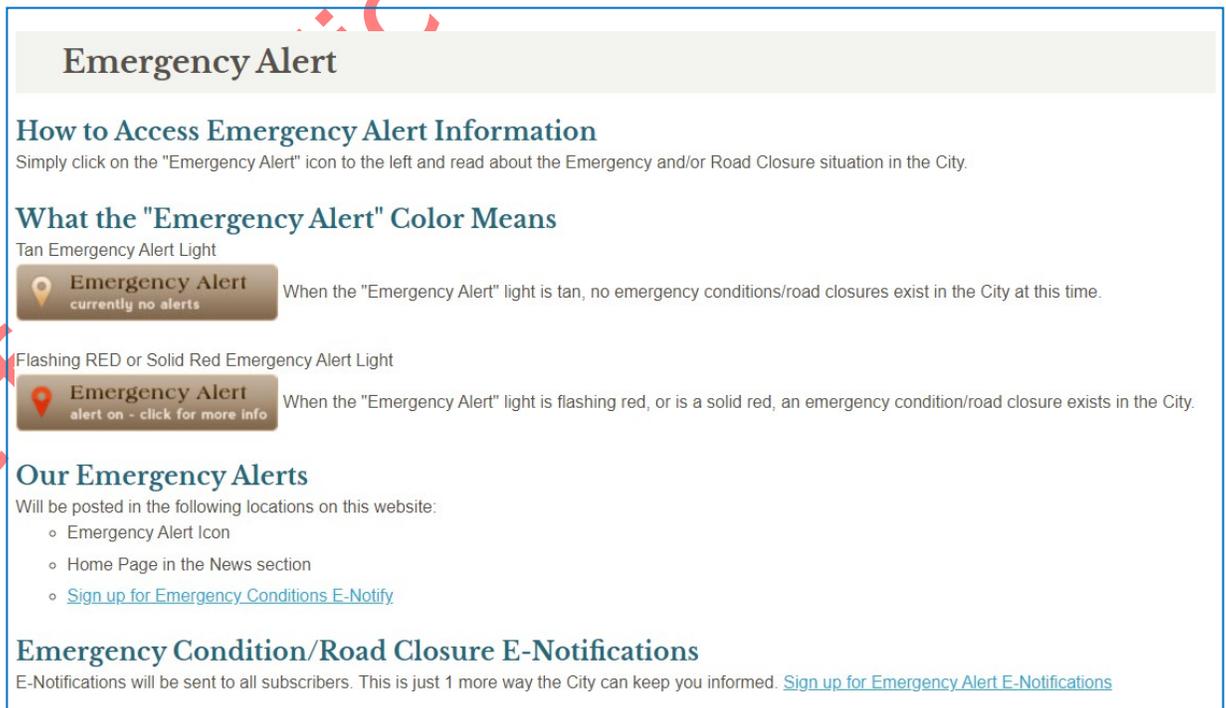
FINDINGS

Compliant

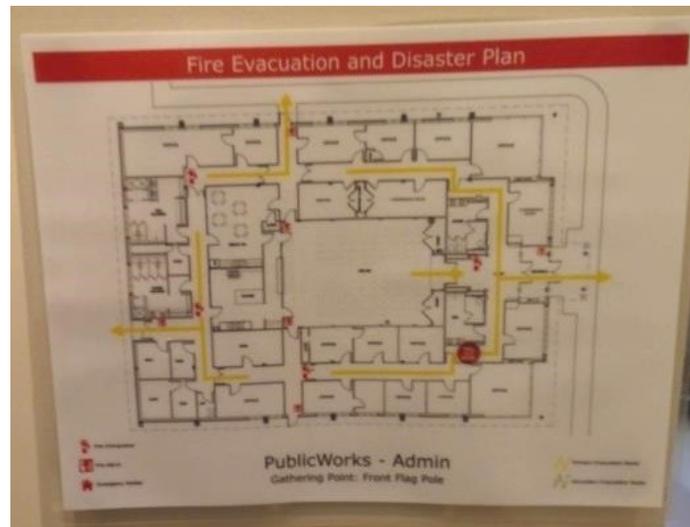
- ✓ Documents found on the City's website offer guidance and information for residents to prepare for a variety of emergencies and natural disasters. Information includes an emergency checklist to prepare a disaster supplies kit and states to consider what special items may be needed for family members with disabilities.
- ✓ The City has implemented Swiftreach Networks, Inc. which is a system that makes phone calls to subscribers in the event of an emergency. Phone communication can be made to users of TTY/TDD systems, as shows in the following registration screen.



- ✓ The City offers emergency alert information on their website and also provides access to a notification list for alerts and emergency notifications. Subscribers can choose to be notified by email or text message.



- ✓ Emergency evacuation maps were found in City facilities surveyed. The following example is from the Public Works Administration building.



- ✓ 69% of staff responded that an evacuation route or instructions are posted in a visible and accessible area of each floor used by their department.

Partial Compliance

- ✓ 59% of staff survey respondents stated that they did not know if emergency procedures include instructions for assisting or evacuating persons with disabilities. 34% of staff responded that they do not.
- ✓ Information on emergency procedures and emergency evacuation procedures for the City was limited. However, at the time of the evaluation, the City was in the process of working with a consultant to develop an updated Emergency Operations Plan.
- ✓ Information on evacuation procedures did not include a statement that service animals are permitted in human shelters, where pets are not allowed.

RECOMMENDATIONS

- The City should provide additional training and information regarding emergency evacuation procedures, particularly regarding the evacuation of persons with disabilities.
- The City should post evacuation routes and procedures at all City sites and on the website.
- The City should develop procedures and a mechanism to monitor the posting of emergency evacuation routes and procedures.
- The City should consider the development of a voluntary registry for individuals that may need additional assistance that may not have access to technology.
- Shelters should be surveyed to determine that they are accessible for persons with disabilities prior to be designated as an evacuation shelter. A provision should be noted to allow service animals and training should be provided to shelter staff to understand the difference between pets and service animals.
- Designated evacuation shelter sites should also be inspected on a regular basis to determine that the shelter continues to be accessible for persons with disabilities. Noncompliant findings for designated shelters can be found in the City Transition Plan.

Policies for the Use of City Facilities

The use of City facilities cannot discriminate against persons with disabilities and applications for the use of City facilities should include nondiscrimination statements. City facilities that are leased should be accessible for persons with disabilities.

FINDINGS

Compliant

- ✓ The City of Milford's park rental policies rules and regulations state that parks, pavilions and parking lots are accessible.

PARK RENTAL POLICIES

RULES & REGULATIONS:

1. Patrons are required to remove all trash they bring into the park, hence our "CARRY IN-CARRY OUT" trash policy (trash bags are available at the P&R office).
2. Dogs or other pets are NOT ALLOWED in the parks during rentals or special events.
3. Your deposit will be refunded if the park is found to be clean and no damage has occurred to the park, facilities, or equipment.
4. Parks, pavilions, and parking lots are handicapped accessible (this includes the playground).
5. Parking is allowed at the Milford Shopping Center (the Salvation Army does NOT allow any parking near their building)
6. NO alcohol or smoking allowed.
7. You may be required to hire police to patrol your event as determined by P&R Director.
8. If it is determined that portable toilets are needed, it will be your responsibility to rent them.
9. Special events can only take place from 9am-dusk on Mondays - Saturdays and from 1pm-6pm on Sundays.
10. All applications will take 30 days to process.
11. Please submit your festival set-up plans for the entire park. If your permit involves fencing off any area of a public park, you must submit a drawing of those plans.
12. Unreasonable or raucous sound may be fined as per Milford City Code.
13. You MUST provide a copy of a section of your Homeowners or Renters Insurance known as the "Declaration Page" or a "certificate of liability" from your business.

- ✓ The City's Special Events Permit Application and Information Packet requires the organizer applicant to provide information on the availability of ADA accessible restrooms at the event.
- ✓ The City's Special Events Permit Application and Information Packet includes the following statement of obligation:

"As the event applicant/organizer, you are required to comply with all City, County, State and Federal Disability Access Requirements applicable to the event."

Partial Compliance

- ✓ No discriminatory policies were found for the use of City facilities. However, information regarding policies for use of facilities was limited.
- ✓ The park rental policies rules and regulations state that dogs and other pets are not allowed in the parks during rentals or special events. The policy does not include a provision for service animals.
- ✓ 20% of staff respondents stated that the City has a facility use or lease agreement, however 77% of staff respondents stated that their department does not rent or lease facilities or space to individuals, groups or organizations, or that the question was not applicable.

Not Compliant

- 97% of staff responded no or that they did not know when asked if department or division staff notify both private entities and staff of their obligations to facilitate participation of persons with disabilities in special events or private events held on public property.

RECOMMENDATIONS

- The City should consider the inclusion of a nondiscrimination clause in their facility rental policy as well as their special events policies. The inclusion of nondiscrimination language in policy and on forms would help ensure that outside groups and organizations would agree to abide by all applicable local, state, and federal laws and City policy regarding nondiscriminatory practices during the utilization of City facilities.
- It would be beneficial to persons with disabilities if information on accessible routes and maps, accessible parking locations, restrooms, and wayfinding was available for all facilities on the City's website.
- The City should make the application form and facility use agreement available in multiple formats, ensuring at least one is accessible, and offer multiple methods to submit the application. A policy that would prohibit pets in a facility or park should include a notice allowing service dogs, when appropriate.

Lease and Joint Use Agreements

Under Title II of the ADA, the City is responsible for providing access to its programs, services, and activities in both owned and leased facilities. Leased sites should be accessible and have provisions in the lease to ensure accessibility.

FINDINGS

Compliant

- ✓ Available lease agreements between the City (Lessor) and Lessees were reviewed and found to have language that required compliance with all applicable laws and regulations, as in the following example from a lease agreement between the City and First State BMX, Inc.

“Lessee's Compliance With Laws: Lessee shall also comply with and abide by all federal, state, county, municipal and other governmental statutes, ordinances, laws and regulations affecting the demised premises, the improvements on or any activity or condition on or in the premises.”
- ✓ 23% of staff surveyed responded that their department rents or leases facilities or space to individuals, groups or organizations, and 20% of staff also stated that the City has a facility use or lease agreement.

Partial Compliance

- ✓ Joint use and lease agreements available for review were limited.

RECOMMENDATIONS

- The City should review the accessibility of sites that are and may be leased in the future prior to engaging in a lease or renewal and establish a procedure for a pre-lease inspection.
- When considering a leased space, the ADA Coordinator, or designated staff member, should be trained to conduct or have a designee or consultant conduct a field inspection of the prospective building to assess the building for a general, functional level of accessibility. The ADA Coordinator could utilize an abbreviated checklist to determine general accessibility of facilities that the City is considering a lease. A more comprehensive inspection could be conducted if the initial review appears to be favorable.
- Language in lease agreements should be reviewed to clearly delineate the responsibility for accessibility and if it lies with the lessee or lessor or both.

- A pre-lease inspection process should be implemented for buildings that are not City owned but may be leased by the City.
- Language in lease agreements should be reviewed for ongoing compliance standards.

Special Events and Activities

Special events sponsored by the City are considered a program, service or activity of the City and are required to be accessible in accordance with ADA requirements.

FINDINGS

Compliant

- ✓ The City's Special Events Application includes several statements and requirements related to the applicant's responsibility for accessibility of the event:
 - "As the event applicant/organizer, you are required to comply with all City, County, State and Federal Disability Access Requirements applicable to the event"
 - A checklist site plan requirement is "Identification of all event components that meet accessibility standards."
 - "**Portable Restrooms:** You are required to provide portable restrooms at your event, unless you can substantiate the sufficient availability of both ADA accessible and non-accessible facilities in the immediate area of the event site, which will be available to the public during your event. It is recommended that hand-sanitizing services be provided. Number of restrooms will be determined based on the number of persons expected under an assembly use. Please note restrooms may not be dumped into storm drains.
Number of portable restrooms Of those, how many are ADA accessible_"

Partial Compliance

- ✓ 40% of staff survey respondents stated that their department hosts special events on public property, however 97% of staff responded that they do not or they did not know if their department notifies vendors and third-party entities of obligations to facilitate participation of persons with disabilities in special events or private events held on public property.

RECOMMENDATIONS

- The City's special events policies, procedures and applications should be updated to include ADA accessibility information and provisions that the event comply with federal, state and local accessibility requirements for persons with disabilities. ADA accessibility requirements should be included in event applications and procedures clarified for event organizers. For example, information regarding accessible parking, accessible restrooms and accessible emergency communications should be included in the special event application.
- ADA accessibility information should be added to the Special Events section of the City's website.
- Accessible features and elements for special events and activities should be indicated in publications, brochures and on the website. Accessible features may include accessible parking and restrooms, for example.
- The City's special events policies, procedures, and applications should be updated to include ADA accessibility information.
- Planning for accessible provisions should include a checklist and training for City staff regarding the ADA requirements for special events.

- A statement of accommodation should be included on the website and on flyers and publications regarding the special event or activity.

Contracted Services

Public entities cannot use contract procurement criteria that discriminate against persons with disabilities (28 CFR § 35.130(b) (5)). Contractors should be held to the same nondiscrimination rules that apply to City employees.

FINDINGS

Compliant

- ✓ No discriminatory practices were found from the research concluded regarding the selection process of contractors and contracted services for the City.
- ✓ The procurement policy found on the City's website states: "It is the policy of the City to promote courtesy, fairness, impartiality, integrity, service, professionalism, economy, and government by law in the procurement process. The responsibility for implementing this policy rests with each individual who participates in the procurement process, including employees and other agents of the City, respondents and contractors."
- ✓ The procurement policy found on the City's website also states: "The procurement process shall be from time to time reviewed to verify compliance with Delaware Law."
- ✓ A sampling of contracts for services with the City were reviewed and no discriminatory or exclusionary practices were found.
- ✓ Sample contracts provided as part of the requests for proposals for construction work on City buildings include the following requirement in the terms:

"The Contractor shall observe and comply with federal, state, county, and local laws, ordinances, rules, regulations, decrees and orders that are in effect and applicable to the work during the time of construction; and he shall see that his subcontractors likewise meet this requirement. He shall indemnify, and hold harmless, the Owner and his representatives against claims and liabilities arising from Contractor and subcontractor violations of such laws, ordinances, rules, regulations, decrees, and orders, whether such violations be by the Contractor or any Subcontractor, or any of their agents and/or employees."

Partial Compliance

- ✓ Contracts and agreements available for review were limited.

RECOMMENDATIONS

- The City should continue to monitor use of standard agreements and contracts by all City departments, as well as monitor agreements that are not standardized.
- It is recommended that the City consider one or more of these avenues to maintain compliance when contracting for services or when leasing facilities:
 - Include ADA/504 compliance requirements in new requests for proposals.
 - Review ADA/504 requirements when contracts or leases are negotiated, revised, or renewed.
- The City should consider including requirements for the purchasing or licensing of accessible information technology hardware and software when the program or devices will be available for use by the public.

Building and Construction

Each facility or part of a facility constructed by, on behalf of, or for the use of a public entity shall be designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by persons with disabilities, if the construction was commenced after January 26, 1992 (35.151). Building and construction policies require that the construction of each new facility or part of a facility, or the alteration of existing facilities after January 26, 1992, conforms to the standards designated under the Title II of the ADA regulation. Buildings constructed after January 26, 1992 are considered new buildings and should be compliant with the current accessibility standards and state accessibility standards and requirements at the time of construction.

Existing buildings are defined as those buildings or sites that were constructed prior to 1992 and that have not had any major remodeling or renovation. If an existing building has had major remodeling or renovation, portions of the building would need to be brought up to the new standards. In addition, the path of travel to the building may be "triggered" and require renovation or remodeling to meet the current accessibility standards. A public entity may comply with the requirements for "existing buildings" by making programmatic changes. Full compliance of existing buildings may not be required where a public entity can demonstrate that it is structurally impracticable to meet the requirements.

FINDINGS

Compliant

- ✓ The City policy is to utilize the applicable federal and state accessibility laws, standards and regulations for construction, remodeling and major renovations.
- ✓ The City utilizes accessibility standards and regulations that include, but are not limited to, the International Building Code (IBC), the ADA Standards, Manual on Uniform Traffic Control Devices, Proposed Right-of-way Accessibility Guidelines (PROWAG) and DelDOT standards.
- ✓ The City's Municipal Code §230-24.17 states that "A frame" signs may be used in the Downtown Commercial Zones and in the Commercial and Industrial Zones if said signs meet the following standards:
 - (f) The sign does not obstruct pedestrian and wheelchair access from the sidewalk to any of the following:
 - [1] Transit stop areas;
 - [2] Designated parking spaces to comply with the Americans with Disabilities Act;
 - [3] Access ramps to comply with the Americans with Disabilities Act; or
 - [4] Building exits including fire escapes.
- ✓ The City's Municipal Code §230-45.1 states the following in relation to off-street parking standards:
 - (3) All spaces reserved for handicapped accessibility shall conform to the requirements set forth by the federal standards provided by the ADA (Americans with Disabilities Act).
- ✓ The City's Municipal Code §230-21 "Parking and loading standards" states:
 - (2) All spaces reserved for handicapped accessibility shall conform to the requirements set forth by the federal standards provided by the ADA (Americans with Disabilities Act).

- ✓ Section 5.05 "Sidewalk Construction" of the Department of Public Works Construction Standards includes the following requirement in reference to curb ramps:
 - A. Concrete sidewalks shall be replaced as required, or as directed, in accordance with Section 705 of the most recent DelDOT Specifications for Road and Bridge Construction. Handicap ramps shall be installed in all areas defined herein.
- ✓ The City's planning department offers a Commercial Ramp Building Permit Application which provides applicants with accessibility ramp guidelines compiled from the International Building Code and ADA design requirements from the U.S. Access Board. The City also offers a similar application for residential access ramp permits.
- ✓ 97% of staff survey respondents stated that they were not aware of any areas or elements of the facilities that the department utilizes which are not accessible to persons with disabilities or that the question was not applicable to their department.

Partial Compliance

- ✓ 22% of the staff surveyed said they provide input or involvement with the design and construction activities for new or altered space and gave examples of inspecting different phases of construction or preparation for special events. 78% of staff stated that they do not provide input or that the question is not applicable.
- ✓ 21% of the staff surveyed stated they were aware if there are procedures or standards in place which ensure accessibility compliance and that best practices are incorporated into design and construction activities. Respondents offered examples of requirements to meet building codes, construction codes and ADA standards. Another staff member noted that the Citizens Advisory Committee reviewed the new police facility. 72% of staff responded that they did not know, however this percentage may be compliant as some departments may not be required to know about building standards or specifications.
- ✓ 19% of staff responded that there is a budget for improving accessibility for facilities, and referenced CIP, sidewalk improvement and individual department budgets. 78% of staff responded that they did not know.
- ✓ Evidence of monitoring of construction for ADA compliance or general review of remodeling for ADA compliance was limited.
- ✓ Construction oversight policies were limited.

RECOMMENDATIONS

- Due to the number of noncompliant findings of new construction and remodeling, the City should enhance their oversight of projects to ensure that remodeling and new construction meet applicable accessibility standards.
- In selected cases, it is recommended that the City contract for an independent review of plans, remodeling efforts and new construction for accessibility requirements for the Americans with Disabilities Act (ADA) Standards, state building codes and other applicable building standards and regulations to provide additional oversight. It is important and required that the accessibility barrier removal efforts for new and remodeled buildings, parks and public rights-of-way meet federal and state accessibility codes.
- City project specifications that are issued by the Community Development division should include information regarding accessibility requirements.
- As privately developed commercial publications are placed on the City's website the City may want to consider placing disclaimers on their website that the publications were developed

by private sources and not governing authorities. In addition, the site should be monitored to remove any outdated publications that do not reflect current standards.

- The City should review policies, practices, and procedures to review remodeling and construction activities to ensure that they meet the applicable accessibility standards.
- Internal policies and procedures focusing on the review of design and construction activities specific to ADA compliance and accessibility compliance should be added.
- The City should ensure that accessibility inspections are conducted as work progresses and is completed.
- Language in contracts with outside vendors should state that work will be performed with all applicable state and federal accessibility standards and regulations.
- The City should ensure that contractors are informed when performing construction activities adjacent to or within the public right-of-way that accessible and safe pedestrian routes must be maintained throughout the project. Information on alternate accessible pedestrian routes and detours should be posted on the City's website, as well as at the site during construction.
- Procedures should be established to ensure alteration projects which affect usability of facilities containing a primary function; that the path of travel to the altered area including restrooms, telephones, and drinking fountains serving the altered area be brought into compliance with ADA standards to the extent of 20% of the cost of the alteration.
- The City should continue to remove barriers identified in the City's ADA/504 Self-Evaluation and Transition plan.
- As barriers are removed, they should be documented in the City's Transition Plan.
- The City should keep the transition plan current and produce progress reports on a regular basis.

Maintenance of Accessible Features

The ADA requires that accessible features be maintained (35.133). Accessible features and elements may include examples such as maintaining door pressures, elevators, trimming vegetation so that it does not encroach on accessible paths of travel, maintaining clear areas to access display areas, access to brochures, access to posted agendas and replacing damaged or missing signage.

The ADA requires that, to the maximum extent feasible, facilities must be accessible to, and usable by, persons with disabilities. This section recognizes that it is not sufficient to provide features such as accessible routes, elevators, or ramps, if those features are not maintained in a manner that enables persons with disabilities to use them. Inoperable elevators, locked accessible doors, or "accessible" routes that are obstructed by furniture, filing cabinets, plants or displays, for example, are neither "accessible to" nor "usable by" persons with disabilities.

FINDINGS

Compliant

- ✓ The City has an ongoing sidewalk repair program for repairs and maintenance to selected sidewalks annually. The City publishes a five-year schedule of sidewalks to be repaired annually in their Streets Improvement Plan. Project information states that sidewalks are an important component to making a neighborhood accessible and for Milford to be a safe and walkable community.
- ✓ In a review of the City's job descriptions available on the Human Resources page of the City's website, the City has designated staff with job responsibilities to ensure City facilities are maintained in compliance with state and federal standards. Knowledge of code compliance

and regulations is noted in the positions of Public Works Director, Code Enforcement Official, Planning Director and Building Code Official.

Partial Compliance

- ✓ 62% of staff responded that they did not know when asked if there are there any procedures in place for monitoring and/or maintaining accessible features. 25% of City staff responded yes and provided examples of freshly painted parking spaces, new signage and parks maintenance.
- ✓ Evidence of recorded maintenance of accessible features was limited.
- ✓ Policies directly related to maintenance of accessible features were limited.

RECOMMENDATIONS

- The City should continue to monitor accessible items and elements that are required to be accessible and therefore need to be maintained in an accessible manner.
- The City may consider developing internal procedures or policies to maintain and track accessible features which require general maintenance. A few examples include re-stripping of parking, trimming vegetation or items that interfere with sidewalks and paths of travel, and adjusting the push/pull force and closing speeds of door closers.
- The City should continue to interface with other local jurisdictions to coordinate ADA efforts and staff training.

Equally Effective Communication

Public entities must ensure that applicants, participants, and members of the public with disabilities have communication that is equally effective as that provided to persons without disabilities in accordance with 35.160. The ADA requires that a public entity shall take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others.

Auxiliary Aids and Services

A public entity is required to furnish appropriate auxiliary aids and services where necessary to afford qualified persons with disabilities, including applicants, participants, companions, and members of the public, an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity of a public entity. When determining what types of auxiliary aids and services are necessary, a public entity is required to give primary consideration to the requests of persons with disabilities. Auxiliary aids and services should be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability.

The ADA uses the term "auxiliary aids and services" ("aids and services") to refer to the ways to communicate with people who have communication disabilities.

There are many ways that the City can provide equal access to communications for people with disabilities. These different ways are provided through "auxiliary aids and services." "Auxiliary aids and services" are devices or services that enable effective communication for people with disabilities.

Title II of the ADA requires government entities to provide appropriate auxiliary aids and services to ensure effective communication. Information about the location of accessible services, activities, and facilities available in a format that is accessible to people who are deaf or hard of hearing and those who are blind or have low vision.

Generally, the requirement to provide an auxiliary aid or service is triggered when requested by a person with a disability or their representative.

Auxiliary aids and services include, for example:

- Qualified interpreters on-site or through video remote interpreting (VRI) services; notetakers; real-time computer-aided transcription services; written materials; exchange of written notes; telephone handset amplifiers; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, including real-time captioning; voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible electronic and information technology; or other effective methods of making aurally delivered information available to persons who are deaf or hard of hearing; Qualified readers; taped texts; audio recordings; Braille materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs (SAP); large print materials; accessible electronic and information technology; or other effective methods of making visually delivered material is available to persons who are blind or have low vision.

Qualified Interpreter Services

The definition of "qualified interpreter" includes, but is not limited to, sign language interpreters, oral interpreters, and cued-speech interpreters. Not all interpreters are qualified for all situations. For example, a qualified interpreter who uses American Sign Language (ASL) is not necessarily qualified to interpret orally. In addition, someone with only a basic familiarity with sign language or finger spelling is not qualified, nor is fluent in sign language but unable to translate spoken communication into ASL or to translate signed communication into spoken words.

Different situations will require different types of interpreters. For example, an oral interpreter who has special skill and training to mouth a speaker's words silently for persons who are deaf or hard of hearing may be necessary for an individual who was raised orally and taught to read lips or was diagnosed with hearing loss later in life and does not know sign language. An individual who is deaf or hard of hearing may need an oral interpreter if the speaker's voice is unclear, if there is a quick-paced exchange of communication, or when the speaker does not directly face the individual.

Video Remote Interpreting (VRI) is a technology composed of a video phone, video monitors, cameras, a high-speed Internet connection, and an interpreter. VRI service means an interpreting service that uses video conference technology over dedicated lines or wireless technology offering high-speed, wide-bandwidth video connection that delivers high-quality video images as provided in 35.160(d).

The video phone provides video transmission to a video monitor which permits the individual who is deaf or hard of hearing to view and sign to a video interpreter who is live in another location and can see and sign to the individual through a camera located on or near the monitor, while others can communicate by speaking. The video monitor can display a split screen of two live images, with the interpreter in one image and the individual who is deaf or hard of hearing in the other image.

VRI provides real-time, full-motion video and audio over a dedicated high-speed, wide-bandwidth video connection or wireless connection that delivers high-quality video images that do not produce lags, choppy, blurry, or grainy images, or irregular pauses in communication.

Both VRI and Video Relay Services (VRS) use a remote interpreter who can see and communicate with a deaf person and a hearing person, and all three persons may be connected by a video link.

VRI is a fee-based interpreting service conveyed via videoconferencing where at least one person, typically the interpreter, is at a separate location. VRI can be provided as an on-demand service or by appointment. VRI normally involves a contract in advance for the interpreter who is usually paid by the covered entity. VRS is a telephone service that enables persons with disabilities to use the telephone to communicate using video connections and is a more advanced form of relay service than the traditional voice to text telephones (TTY) relay systems.

Telecommunications Devices for the Deaf and Hard of Hearing

Where a public entity communicates by telephone with applicants and beneficiaries, text telephones (TTYs) or equally effective telecommunications systems shall be used to communicate with persons who are deaf or hard of hearing or have speech impairments.

When a public entity uses an automated-attendant system, including, but not limited to, voice mail and messaging, or an interactive voice response system, for receiving and directing incoming telephone calls, that system must provide effective real-time communication with persons using auxiliary aids and services, including TTYs and all forms of FCC-approved telecommunications relay system, including Internet-based relay systems.

A public entity shall respond to telephone calls from a telecommunications relay service established under Title IV of the ADA in the same manner that it responds to other telephone calls.

Often persons with disabilities, including persons who are deaf or hard of hearing, are unable to use such automated systems. Some systems are not compatible with TTYs or the telecommunications relay service. Automated systems can and often do disconnect calls from TTYs or relay calls, making it impossible for persons using a TTY or relay system to do business with title II entities in the same manner as others. The Department proposed language that would require a telecommunications service to permit persons using relay or TTYs or other assistive technology to use the automated-attendant system provided by the public entity.

Telephone emergency services (35.162), including 911 services, shall provide direct access to persons who use TDDs and computer modems and should be accessible to persons with disabilities. Many public entities provide telephone emergency services by which persons can seek immediate assistance from police, fire, ambulance, and other emergency services. These telephone emergency services, including 911 services are clearly an important public service whose reliability can be a matter of life or death.

Part 35.162 requires public entities to take appropriate steps, including equipping their emergency systems with modern technology to promptly receive and respond to a call from users of TDD's and computer modems. Entities are allowed the flexibility to determine what is the appropriate technology for their needs.

Information and signage (35.163) are required so that persons with disabilities can obtain information regarding services, activities, and facilities and their location. Signage at all inaccessible entrances to each of its facilities should direct users to an accessible entrance or to a location at which they can obtain information about accessible facilities. The international symbol for accessibility shall be used at each accessible entrance of a facility.

If a public entity communicates with applicants and beneficiaries by telephone, it should ensure that TDD's or equally effective telecommunication systems are used to communicate with persons with impaired hearing or speech. If a public entity provides telephone emergency services, it should review its policies to ensure direct access to persons who use TDD's/TTY's and computer modems.

Assistive Listening Systems

Assistive listening systems should be readily available for public meetings and events where sound will be amplified to ensure effective communication.

Alternative Formats

Information regarding programs, services and activities should be available in alternate formats to assist persons with disabilities and include information on how to request an accommodation. Statements of accommodations and nondiscrimination notices regarding the rights afforded to persons with disabilities should inform persons with disabilities that alternate formats are available.

Accessible Fonts and Documents

Some fonts are more accessible for screen readers and for printed documents. Use of an accessible font allows text to be transformed into sound through voice synthesizers when using screen readers. Text can also be enlarged by screen enlargement or magnification without any loss of quality. Use of an accessible font with sufficient contrast between the text and the background makes text easier to read for users with low vision and other disabilities such as dyslexia.

FINDINGS

Compliant

- ✓ The City's Notice under the Americans with Disabilities Act states "The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City programs, services, and activities." A copy of the City's ADA notice is included in Appendix A.
- ✓ The City publishes the Delaware Relay Service number of 7-1-1 and the Federal Information Relay Service number of 1-800-877-8339 so that users of TDD/TTY assistive technology equipment may contact the City.
- ✓ The City's website accessibility statement notes that the City is committed to the accessibility of its website to ensure it is usable by persons who use assistive technology. The City states that the website has been designed to comply with Section 508 and Web Content Accessibility Guidelines (WCAG) 2.0 Level AA.

Accessibility Design Guidelines

Our website has been designed with the following accessibility guidelines in mind:

- We work to comply with [Section 508](#) as well as [2.0 A and AA](#) referring to website accessibility standards.
- If you have difficulty accessing the site or have any comments or feedback, please do not hesitate to [contact us](#).

- ✓ The City posts information regarding how to request an accommodation on the website and in selected publications.
- ✓ The ADA Coordinator and designated City staff can be contacted to request an assistive listening device.
- ✓ Per the minutes of a September 2019 City Council meeting, the City has a Bilingual Compensation Program for City staff members who are certified in American Sign Language.
- ✓ The City offers an E-subscription service that provides updates, alerts and notifications to subscribers at no cost. Subscribers may choose the type of alerts that are received and their preferred method of the information transmission, either by email or text message.

You Are Here: [Home](#) > [Notify Me](#)



Notify Me

1. Type your email address in the box and select **Sign In**.
2. If you want to receive text messages enter your phone number and select **Save**.
3. To subscribe or unsubscribe click and/or next to the lists to which you wish to subscribe/unsubscribe.

Available Lists

- All
- Notify Me
- Alert Center
- Bid Postings
- Calendar
- News Flash

Please sign in to subscribe, unsubscribe, or manage your subscriptions

Email Address

- ✓ Room signage in City buildings includes Braille text as an alternative method to identify rooms, such as the following example of room identification signage in the Customer Service building.



Partial Compliance

- ✓ Some documents found in the "Documents Center" directory of the City's website are posted in a PDF format that does not contain searchable text. This prevents the documents from appearing in the results of a keyword search on the City's website.
- ✓ The documentation of the use of sign language interpreters, VRI and VRS is limited.
- ✓ Due to the COVID-19 pandemic at the time of the assessment, City Council meetings were held via teleconference to allow participants to attend the meetings remotely. There is no evidence that meetings were recorded and archived for later viewing.
- ✓ A policy for accessible fonts and documents, although not required, was not found.

Not Compliant

- Statements of accommodation were not found on reviewed meeting agendas for City Council, Boards or Committee meetings.

- 91% of staff responded that that they do not know if assistive listening devices or systems are available for public meetings. 6% of staff responded that assistive listening devices or systems are not available.
- 91% of staff responded no, it was not applicable or that they did not know when asked if there is a policy in place to respond to requests for accommodations from the public to allow persons with disabilities to participate in the program.
- 94% of staff responded that they did not know or there are none when asked what tools the department uses to communicate by phone with people with speech or hearing difficulties. Respondents that did know listed text-telephone and third-party relay systems as available tools. 97% staff responded no or that they did not know when asked if department staff receive training on receiving or placing calls using a text-telephone.
- 83% of staff responded that they did not know or that the department does not offer any when asked what alternative formats the department makes available to persons with disabilities. Respondents that did know listed email, electronic documents for use with screen readers, audio recordings, CART, VRI and enlarged print as available accommodations and alternative formats.

RECOMMENDATIONS

- The City should consider training for staff to provide services to users of the assistive technology.
- The City should provide staff with information regarding assistive technology that is available.
- Persons with disabilities may not participate in or participate as frequently in City sponsored programs, services, or activities if they do not understand what is being communicated. Information on the availability of auxiliary aids and services should be included in departmental policies, procedures, and guidelines.
- When equipment is used, as part of a public entity's program, activity, or service, an assessment should be completed to safeguard that the equipment is usable by persons with disabilities, particularly persons with hearing, visual, and manual impairments. In addition, a public entity should have policies in place to ensure that its equipment is well maintained and in operable working order.
- Training should be provided so that staff are aware of and understand how to arrange for auxiliary aids and services, such as sign language interpreters, material in Braille and assistive listening systems; to support effective communication with persons with disabilities.
- Notices for public input should include information on the availability of interpreter services and other services.
- Sign language interpreters should be provided as determined through the request for accommodation process for qualified persons with disabilities or in circumstances where a sign language interpreter is known to be required.
- Interpreters should be provided as determined through a request for accommodation process or in circumstances where an interpreter is known to be required.
- The City must ensure that those persons utilizing a language other than English and are deaf, are also provided interpreter services that specialize in signing for that language.
- The City may consider the use of a video relay interpreter system to augment contracts and arrangements for interpreters.
- When a public entity uses an automated-attendant system, including, but not limited to, voicemail and messaging, or an interactive voice response system, for receiving and directing

incoming telephone calls, that system must provide effective real-time communication with persons using auxiliary aids and services, including TTYs and all forms of FCC-approved telecommunications relay systems, including Internet-based relay systems.

- Employees who communicate with the public should become familiar with the use of TDD/TTY communications or relay communications. Assistive Listening Systems for the Deaf and Hard of Hearing or the relay system.
- Assistive listening systems are required in assembly spaces where audible communication is integral to the use of the space. Signs are to be provided informing patrons of the availability of the assistive listening systems.
- The City should post the number of the Delaware Relay when other methods are not available.
- Information regarding assistive listening systems should be readily available.
- Signs should be posted in prominent places at or near the assembly area entrance stating "Assistive-Listening System Available" and include the International Symbol of Access for Hearing Loss.
- The City should provide notice regarding the method and availability for alternate formats.
- The City should provide staff training regarding the requirements for accessible alternate formats, what accessible alternate formats are and how to provide accessible alternate formats. Procedures should be put in place for the development of accessible alternate formats to constituents.
- The City should produce accessible alternate formats for high use areas, such as libraries, where the probability for a request for an alternate format is high. Examples include provision of audiocassettes, CDs, large print, information sent via email, screen readers, Braille, and pictograms.
- Online public notices and publications should have a statement of accommodations which includes a person to contact for an accommodation.
- A TTY/TDD and/or Relay number should also be included on City notices which allow for public input.
- The City should continue to provide information on its website and publications regarding the City's branding policy, if available. The City might consider adding information to the City's branding policy regarding accessible fonts and documents.
- The possibility of a central City-wide department or method to provide Braille and other accessible documents should be assessed to assist with providing accessible alternate formats.
- The City should have an existing contract with one or more firms or organizations to provide accessible documents, such as Braille, in a timely manner.

Website Accessibility

Websites are required to meet accessibility standards and comply with Web Content Accessibility Guidelines (WCAG 2.0) standards for compliance. Websites for Title II of the ADA public entities such as the City currently required to comply with WCAG 2.0 Level AA.

Persons with disabilities frequently use the internet to access information about the City. Persons who are blind and persons with low vision may employ screen access software that reads the code of a website and then renders it in whatever format is accessible to that person (speech, refreshable

braille, etc.). Deaf users rely on captioning of aural (sound or spoken) content. Users with limited manual dexterity or motion use dictation software to give commands instead of mouse and keyboard control.

The World Wide Web Consortium (W3C) sets the main international standards for the World Wide Web and its accessibility. There are three levels of WCAG 2.0 website accessibility recognized by the World Wide Web Consortium (W3C):

1. Level A is the minimum level of conformance with the fewest requirements. A couple of examples of Level A requirements are that all non-text components such as images include an alternative text component and that captions are provided for all prerecorded audio content.
2. Level AA compliance must satisfy all the Level A requirements and additional criteria such as providing captions for all live broadcasted audio content.
3. Level AAA satisfies all Level A and Level AA criteria as well as additional requirements such as providing sign language interpretation for all prerecorded audio content.

An updated version of the guidelines (WCAG 2.1) was published on June 5th, 2018. The updates are mainly related to mobile devices, disabilities that affect vision and cognitive function, criteria addressing text spacing, and criteria addressing timeouts and animations from interactions. While public entities are encouraged to begin applying compliance with WCAG 2.1 success criteria into their website design, it is not yet the required standard.

While Section 508 *directly* applies to federal organizations, its impact is much farther reaching. Section 508 is extended to any company that conducts business with a federal agency, including private contractors, the financial industry, healthcare, many legal organizations, and others, and may also be extended to universities (including private universities) that receive funding through grants.

FINDINGS

A comprehensive analysis of the City of Milford website was completed by DAC in May of 2021. The results are being provided to the City in a separate report.

Compliant

- ✓ A link labeled "Accessibility" that directs users to the website accessibility statement page is found in a consistent location in the footer of each website page.
- ✓ The City has a website accessibility statement which says that the City will address reports of inaccessible content on the City's website. The statement says that the City will respond to the person in their preferred format, and provides a link to contact the City, as well as including information for the Federal Relay System for users of TTY/TDD devices.

"If you use assistive technology (such as a Braille reader, a screen reader, or TTY) and the format of any material on this website interferes with your ability to access information, please contact us. To enable us to respond in a manner most helpful to you, please indicate the nature of your accessibility problem, the preferred format in which to receive the material, the web address of the requested material, and your contact information. Users who need accessibility assistance can also contact us by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication."

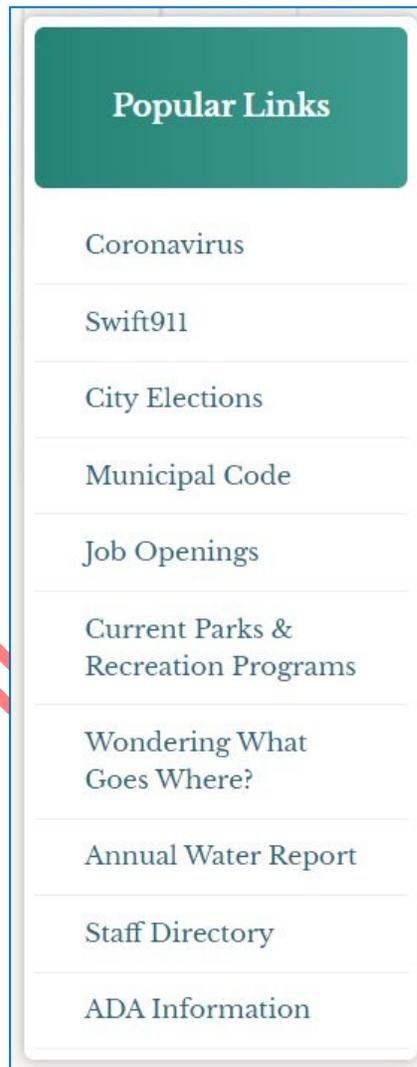
- ✓ The website accessibility statement indicates that the City has designed the site to comply with both Section 508 and WCAG 2.0 Level A and AA success criteria.

Accessibility Design Guidelines

Our website has been designed with the following accessibility guidelines in mind:

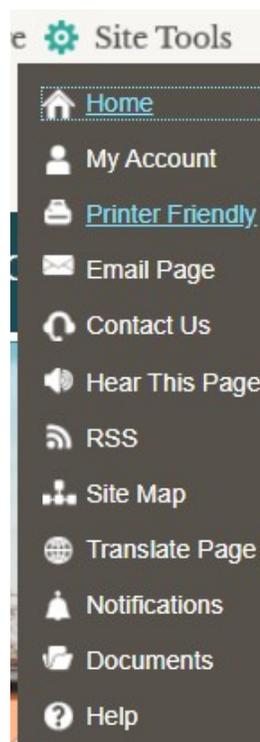
- We work to comply with [Section 508](#) as well as [2.0 A and AA](#) referring to website accessibility standards.
- If you have difficulty accessing the site or have any comments or feedback, please do not hesitate to [contact us](#).

- ✓ The link to the City's ADA Information page is easily located in a "Popular Links" menu available on the City's home page and the majority of interior pages.



- ✓ The City's website is designed with a consistent header and footer that each offer the same menu items and links in the same location on each page to promote simple navigation.
- ✓ The search command field that is available in a consistent location in the header of each page will provide results for searched terms or phrases on City website pages and within documents available on the site.

- ✓ In a consistent location at the top of each of the City’s webpages is a “Site Tools” menu which offers a feature to convert the webpage to a printer friendly page format which converts the page to a low graphics format and removes page images and backgrounds.



Partial Compliance

- ✓ 28% of staff surveyed responded yes when asked if the website home page includes easily located information, including a telephone number and email address, for use in reporting website accessibility problems and requesting accessible services and information. 66% of staff responded that they did not know and 6% responded no.
- ✓ 91% of staff survey respondents stated that they do not have responsibility for creating web page content and 84% of staff stated that they do not have responsibility for website accessibility. When asked if staff knew who is responsible for website accessibility, the responses varied greatly.

Not Compliant

- The most prevalent error found during the review was numerous instances of broken links. Broken links frequently occur when the page, document or file has been removed from the site, or possibly renamed, which prevents the link from taking the user to the correct target. A website user would receive an error message when clicking the link.
- The accessibility check also returned numerous findings for images that do not contain alternative text descriptions or where the alternative text is a placeholder or file name and not actually a description of the image. This would result in meaningless or confusing image descriptions when read aloud by a screen reader. Missing alternative text was also noted for images contained in many PDF documents available on the City’s website.
- The accessibility check also returned several findings for inaccessible PDF documents that are posted to the City’s website. PDF documents were found to be missing alternative text for graphics and structure tags that are required to be accessible by screen readers.

RECOMMENDATIONS

- Correct accessibility errors in the City's website and regularly review the website for compliance, especially in situations where City staff may be adding information to the City's website.
- Develop procedures to maintain the accessibility of the City's website and provide training to staff.
- If the accessibility and maintenance of the City's website is contracted to an outside vendor, contractual language should be included regarding the website accessibility requirements and the responsibility for the development of and maintenance of an accessible website.

Social Media

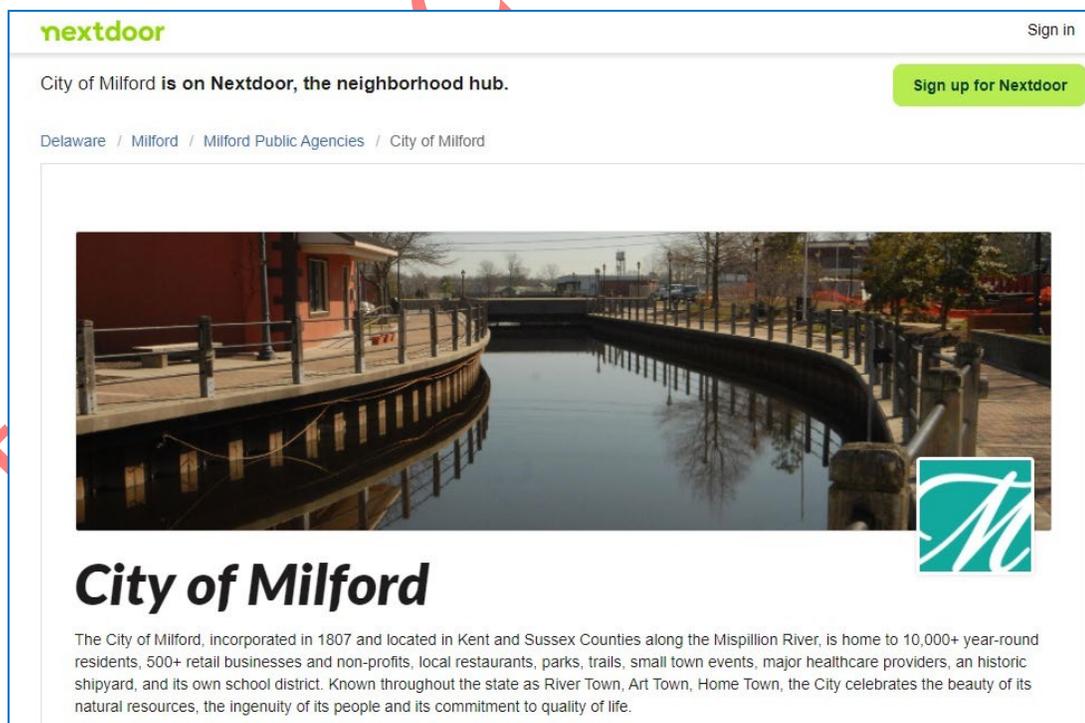
Website accessibility also extends to social media platforms that are used by a Title II entity to deliver information and notices to the public. Content and information created and shared via social media by a Title II entity is required to comply with WCAG 2.0 Level AA requirements. Level AA requirements include all minimum standards of Level A as well.

It is the responsibility of the Title II entity to design accessible content that will be shared via a social media platform.

FINDINGS

Compliant

- ✓ The City uses social media as a form of communication. The accessibility of social media is dependent upon the third-party vendor that provides the service. The City's social media accounts include Nextdoor, Facebook and Twitter.



nextdoor Sign in

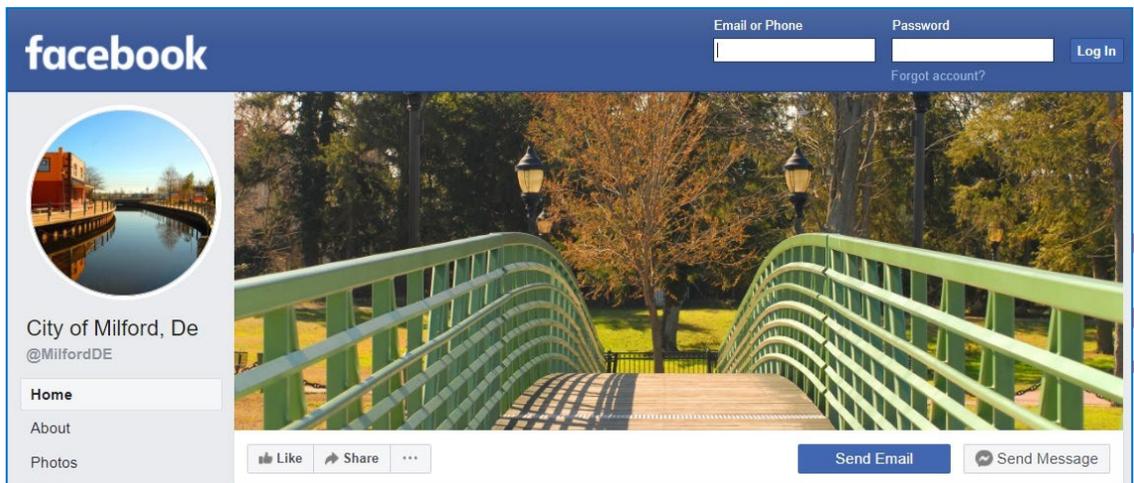
City of Milford is on Nextdoor, the neighborhood hub. Sign up for Nextdoor

Delaware / Milford / Milford Public Agencies / City of Milford



City of Milford

The City of Milford, incorporated in 1807 and located in Kent and Sussex Counties along the Mispillion River, is home to 10,000+ year-round residents, 500+ retail businesses and non-profits, local restaurants, parks, trails, small town events, major healthcare providers, an historic shipyard, and its own school district. Known throughout the state as River Town, Art Town, Home Town, the City celebrates the beauty of its natural resources, the ingenuity of its people and its commitment to quality of life.



- ✓ The City has a social media policy that includes a that states First Amendment rights which protect free speech will apply to comments and posts on the City’s social media sites. The City however, reserves the right to delete, hide or block posts or commentors based on the following screening guidelines which include nondiscrimination and violation of applicable laws:

- Commercial advertising
- Discriminatory comments
- Links to third party sites
- Personal attacks, insults or threatening language
- Anything in violation of Federal, State, and/or Local law

RECOMMENDATIONS

- Provide the information through more than one platform.
- Avoid using acronyms and abbreviations that would not be understandable if read by a screen reader.
- Post or upload a captioned video instead of relying on automatic captioning tools that may be inaccurate.

- Before linking to content that was created by a third party, test the content for accessibility, such as videos that start automatically, missing alternative text for photos and available captioning. If the content is not fully accessible, but the entity choosing to link the content regardless, a disclaimer should be added that explains the limitations for the linked content to the user.
- Review third-party social media terms, conditions and limitations for accessibility compliance when determining whether to use the platform.

Acceptable Terminology

Terminology should be in "person first language" such as person with a disability or individual with a disability instead of "disabled person" or the term "handicapped." Other negative terms such as retarded, confined to a wheelchair, crippled and handicapped should not be used.

FINDINGS

Compliant

- ✓ No references using the terms "retarded", "crippled" or "wheelchair bound" were found in any City documents or publications.

Partial Compliance

- ✓ References to "handicapped individuals" and "handicapped accessibility" are found several times in the City's Municipal Code.
- ✓ Several references to "disabled persons", "disabled family members" and "disabled residents" were found in documents on the City's website.
- ✓ The City's park rental policies rules and regulations states that parks, pavilions and parking lots are "handicapped accessible".

RECOMMENDATIONS

- City publications should be reviewed to see if the word "handicapped" is used. The words "individuals with disabilities" or "persons with disabilities" should replace "handicapped". The term "disabled person" should also be avoided. Information regarding acceptable terminology in "people first language" should also be provided to City staff. Publications should be updated as they are reprinted. It is understood that the City does not have control over documents that are generated from other jurisdictions.
- It is recommended that the ADA and 504 Coordinators disseminate information or provide training regarding acceptable terminology to be utilized by departments and staff.
- Branding policies or policies regarding document development and publications should include alternate language recommendations that do not use the term "handicapped."

Staff and Community Training

Ongoing compliance with the ADA and Section 504 can only be achieved if City staff and officials receive ongoing and updated training about the rights of persons with disabilities and the obligations of public employees under the ADA and Section 504. Although training is not required by the ADA, training regarding the requirements of the ADA and Section 504 is recommended. Staff that understand the requirements of the ADA and how to assist persons with disabilities are empowered to provide services to all stakeholders in a nondiscriminatory manner.

Ongoing compliance with the ADA is a process that occurs over time using an understanding of the ADA, responsibilities of City employees, appropriate terminology, and specific methods to assist

persons with disabilities. A simple and easy to achieve compliance method is understanding and using appropriate terminology that provides information in a positive and nondiscriminatory manner. For example, the use of the term “handicapped” is not acceptable and the term “persons with disabilities” should be used instead. Another example of appropriate terminology is using the description of “person using a wheelchair” and not using the term “wheelchair bound.”

FINDINGS

Compliant

- ✓ Training on updating and maintaining the transition plan using the DACTrak software was provided to City staff in June of 2021.
- ✓ 92% of staff surveyed said they would benefit from training and would like training regarding developing policies and procedures, how to assist persons with disabilities, legal requirements, how to provide accommodations, how to provide materials in alternate formats, information about American Sign Language and requirements for accessibility pertaining to grants and funding. Some staff responses noted awareness and education as what they feel should be the highest priority for the City to improve accessibility for persons with disabilities.

Partial Compliance

- ✓ 48% of staff respondents indicated they have received training or information regarding the requirements of the American with Disabilities Act, 52% of respondents indicated they have not received information or training.
- ✓ The City of Milford’s Employee Policy Manual states that employees will be expected to participate in appropriate trainings for topics relevant to their position as needed. The manual does not specify if the topic of nondiscrimination on the basis of a disability or protected class is a training subject.
- ✓ The City’s Abuse and Molestation policy states that all parks and recreations staff are required to complete online training courses. The curriculum includes courses designed to recognize signs of abuse towards children, and also how to help protect recreation program participants from abuse.
- ✓ Information on training provided to City staff regarding nondiscrimination and the ADA was limited.

Not Compliant

- 85% of staff responded that they have not received training on providing services or assistance for persons with disabilities.

RECOMMENDATIONS

- The City should provide ongoing training regarding the ADA/504 for facilities, public rights-of-way, and outdoor recreation standards. Suggested training topics should include, but are not limited to:
 - Requirements of the ADA and Section 504 for the City of Milford
 - Persons with disabilities
 - Acceptable terminology and expressions
 - Noncompliance consequences
 - Accessible vs. compliant
 - Barriers – programmatic or physical
 - Providing services for persons with disabilities
 - Service animals

- Leased sites
- Special events
- Accessible locations for meetings
- Events and voting
- Auxiliary aids and services
- Construction and remodeling
- Maintenance of accessible features
- Community donations and construction projects
- Notice of the ADA and 504 Coordinators
- Notice and rights posted for persons with disabilities
- TDD/TTY
- Assistive listening
- Grievance and complaint procedures
- Participation by persons with disabilities
- Use of City facilities by organizations and individuals
- Reasonable accommodations
- Statement of accommodations
- Effective communication
- Alternate and accessible formats
- Accessible websites
- Volunteers
- Accessibility standards and regulations (ADA, PROWAG, MUTCD, DeIDOT)
- The City should provide staff training in additional formats other than a classroom session, if needed. Training methodologies could include videos (captioned) that could be viewed at the training or checked out by departments and agencies.
- Handouts and training materials should be prepared, if needed, in alternate accessible formats.
- The ADA and 504 Coordinators should continue to provide or coordinate additional ADA/504 training to all management and staff who have regular contact with the public.

New Employee and Volunteer Orientation

Although the focus of the ADA/504 Self-Evaluation was not on employment, it is important to review employment practices to ensure that they comply with other applicable nondiscrimination requirements, including 504 and the ADA regulation issued by the Equal Employment Opportunity Commission. It is unlawful to discriminate against a qualified applicant based on disability in any aspect of employment including applications, interviewing, testing, hiring, evaluating, compensation, benefits, promotion, discipline, and termination.

FINDINGS

Compliant

- ✓ The page of the City's website which lists the current job openings for the City includes the following statement of nondiscrimination in all levels and areas of employment with the City:

"The City of Milford provides equal employment opportunities to all employees and applicants for employment and prohibits discrimination and harassment of any type without regard to race, color, religion, age, sex, national origin, disability status, genetics, protected veteran status, sexual orientation, gender identity or expression, or any other characteristic protected by federal, state or local laws.

This policy applies to all terms and conditions of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.”

- ✓ The City’s Employee Policy Manual includes a statement of nondiscrimination and accommodations for persons with disabilities:

“It is the policy of the City to comply with all the relevant and applicable provisions of the Americans with Disabilities Act and corresponding state and local laws. The City does not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person’s physical or mental disability.

A person with a disability who believes that he or she may require an accommodation should contact the Human Resources Administrator, who will work with the individual in an interactive manner in order to assess a needs-based accommodation.”

- ✓ The City’s Employee Policy Manual also includes an anti-harassment policy on the basis of many conditions, including physical or cognitive disability.
- ✓ The City’s Collective Bargaining Agreement between the City and the General Teamsters Local 326-Police Dispatchers includes the statement that neither the City nor the Union will discriminate against any employee or applicant on the basis of a qualified disability. The agreement also states that the City and the Union will engage in an interactive process in order to provide reasonable accommodations to qualified employees with a disability.

Partial Compliance

- ✓ The City offers an employment application as an online form on the City’s website. The application does not include information on requesting an alternate format, or if other formats are available upon request.

Not Compliant

- 85% of staff responded that they have not received training on providing services or assistance for persons with disabilities.
- There was no evidence of ADA training provided to volunteers.

RECOMMENDATIONS

- The City should consider adding assurances to applications for volunteers that would include assurances that the applicant will adhere to abide by all applicable state, federal and City policies and procedures.
- The City should include information as to the identity, title, address, phone number and email address of the ADA and 504 Coordinators to new employee orientation and volunteer information.
- New employees and volunteers should be provided materials and/or training regarding nondiscriminatory practice and the requirements for access to programs, services, and activities of the City.
- The City should develop training materials and videos for new employees and volunteers regarding information and requirements of Title I and Title II of the ADA and Section 504. Materials could also be offered on providing accommodations for persons with disabilities.

Distribution and Location of Publications

Publications, documents, and brochures are required to be accessible for persons with disabilities.

FINDINGS

Compliant

- ✓ Most publications, brochures and documents are displayed in departments and areas that were accessible for persons with disabilities such as the following example of a document holder in the lobby of the Police Department. Displays should also allow for retrieval of the information without utilizing a tight pinching or grasping motion and be within a compliant reach range.



RECOMMENDATIONS

- The ADA and 504 Coordinators should continue to provide information to departments regarding the placement of brochures, pamphlets, and information in accessible locations and in accessible containers or displays for persons with disabilities. Including requirements for reach ranges and clear floor space to access publications would also be helpful.
- Counters and areas that are lowered for access by persons with disabilities should be maintained and kept clear of display and work items.
- Displays should also allow for retrieval of the information without utilizing a tight pinching or grasping motion and be within a compliant reach range.

Planning, Budgeting, Implementation and Strategies for Ongoing Compliance

There is not a specific requirement in the ADA or Section 504 for planning and budgeting for barrier removal. There is a requirement for public entities to incorporate a projected schedule for barrier removal into the transition/barrier removal plan. A City that is budgeting for ADA/504 barrier removal and to improve access to programs, services and activities shows intent to implement the barrier removal/transition plan and to enhance access to programs, services, activities, and facilities by persons with disabilities.

The City is required to provide a projected schedule with estimated dates for barrier removal in the ADA/504 Self-Evaluation and Transition plan. The projected schedule is an estimate or planned date for barrier removal. Projected dates, however, may change due to a variety of factors. Developing an ADA plan and a schedule for implementation and removal of barriers provides clear documentation of the City's ongoing efforts to remove barriers and to provide access to City programs, services, and activities.

Implementation of the recommendations in the self-evaluation will continue to require planning, resources, staff training, interdepartmental coordination and collaboration throughout the organizational structure and the public. As the City recognizes that compliance with the ADA is not a "one-time" event and requires strategic planning and an ongoing commitment to provide equal access to its programs, services, and activities to maintain and enhance compliance with the requirements of the ADA.

FINDINGS

Compliant

- ✓ A February 2020 City Council Agenda noted that the City had used an Outdoor Recreation, Parks and Trails (ORPT) grant in 2012 to install universally accessible playground equipment in Tony Silicato Memorial Park. The grant was funded from the Delaware Land & Water Conservation Trust Fund.
- ✓ The FY 2021-2025 Capital Improvement Plan draft worksheet attachment to the April 13, 2020 City Council Meeting minutes shows projected funding for Installation of ADA Compliant ramps annually in the following amounts:
 - FY19-20 approved: \$283,000
 - 2021 budgeted: \$100,000
 - 2022 budgeted: \$100,000
 - 2023 budgeted: \$100,000
- ✓ The City's strategic plan document entitled "Press Play 2023" has a goal of promoting a healthy community with recreational activities provided by the City and Community Partners. A strategy to reach that goal is to collaborate and partner with recreational and wellness service providers to identify needs and wants for seniors and persons with disabilities and connect them to existing partners, as shown in the following screen shot.

→ OBJECTIVE 2

Actively promote current recreational opportunities offered by the City and partners.

Strategies

- > Collaborate and partner with recreational and wellness service providers to identify needs and wants for seniors and persons with disabilities and connect them to existing partners.
- > Advertise current children's programming.

- ✓ The City's FY22 Annual Operating and CIP Final Draft document that is attached to the June 7, 2021 City Council Agenda includes a line item in the Streets General Fund for a \$150,000 Grant to be used for the ADA Transition Plan.

- ✓ A public works department staff report dated June 9, 2021 and attached to the June 14, 2021 City Council agenda states that as of May 2021, the City was working on in-progress projects that included installation of ADA compliant ramps and a street resurfacing and rehabilitation project that includes ADA ramps.
- ✓ To enhance compliance for persons with disabilities in an expeditious and cost-effective manner, the City solicited input from the community and staff. The City has several methods available for ongoing input to continue to develop, maintain and implement the ADA/504 Self-Evaluation and Transition plan.
- ✓ There is evidence that the City is incorporating the removal of barriers to accessibility on an ongoing basis and plans to remove additional barriers to City programs, services, and activities.

Partial Compliance

- ✓ 19% of staff answered that the City has a budget for improving accessibility to its facilities and provided examples of CIP projects for facilities and public rights-of-way, potential American Rescue Plan Act (ARPA) funding and individual department budgets. 78% of staff respondents indicated that they did not know.

RECOMMENDATIONS

- The City should continue to maintain an ongoing barrier removal implementation plan and document the City's progress, initiatives and funds expended.
- In appropriate cases, it is recommended that the City contract for an independent review of plans, remodeling efforts and new construction for accessibility requirements for the Americans with Disabilities Act Standards (ADA) and state building codes. It is important and required that the accessibility barrier removal efforts meet federal and state accessibility codes.
- The ADA and 504 Coordinators, or designated staff, should be empowered with the authority to make recommendations and monitor the current City of Milford ADA/504 Self-Evaluation and Transition Plan.
- In addition to the removal of structural barriers, departments should consider budgeting for accessibility items, especially in communication, such as TTY/TDD's and alternate formats.
- Implementation of the recommendations in the self-evaluation will continue to require planning, resources, staff training, interdepartmental coordination and collaboration throughout the organizational structure and the public.

Conclusion

The City of Milford has demonstrated an ongoing commitment to provide equal access to its programs, services, and activities to maintain and enhance compliance with the requirements of the Americans with Disabilities Act. The City continues to embrace a concept of full and equal access for all the people it serves. The findings from the updated ADA/504 Self-Evaluation and Transition plan memorialize the City's compliance efforts.

An overall summary of findings and recommendations is provided in this section, but it not intended to be totally inclusive of all findings and recommendations contained in the City of Milford ADA/504 Self-Evaluation and Transition Plan Executive Summary.

1. ADA POLICY: It is recommended that the current ADA Policy contacts and content be maintained and updated when needed and distributed throughout the City departments and that staff receive training regarding the requirements of the ADA and Section 504.

2. **POLICY DEVELOPMENT AND UPDATES:** Although the City is not required to develop a policy for each and every area of access to the City's programs, services and activities, it is general practice for public entities to develop policies and procedures to ensure compliance with the accessibility requirements and standards. Although City-wide ADA primary compliance policies can be developed, it would be beneficial to have individual policies and procedures to fully understand and implement the accessibility requirements.
3. **ADA AND 504 COORDINATORS:** The identity and the role of the ADA and 504 Coordinator should continue to be published using multiple methodologies to inform staff and members of the public. In addition, training should be provided to City staff. Due to the required role of the ADA and 504 Coordinators, it is important that interdepartmental coordination is enhanced to include project planning, funding and documentation of the barriers removed. A process should be developed by departments to update the DACTrak accessibility management software program.
4. **ESTIMATED DATES FOR BARRIER REMOVAL:** Following communication between departments and an analysis of not only currently available funding, but funding that will be needed in the future, the City should continue to update the projected dates of barrier removal in the DACTrak software in order to have "estimated dates" of barrier removal. The ADA/504 Self-Evaluation and Transition Plan is a fluid, planning document that is prioritized and phased in order to develop and maintain a plan for the removal of barriers to access programs, services and activities of the City. Projected and estimated dates may change due to accessibility needs, planned projects, projected projects, funding, complaints, claims, litigation and initiatives of the City.
5. **GRIEVANCE PROCEDURES AND FORMS:** Grievance or Uniform Complaint Procedures should be maintained and made available to members of the public. Staff should be trained regarding the requirements and methods for members of the public to access grievance procedures and forms. In addition, grievances should be tracked to document the date of the grievance, the action taken by the City (if any) and the resolution of the grievance.
6. **STATEMENT OF ACCOMMODATIONS:** Statements of accommodation or modifications should be provided on selected public facing documents such as agendas, meeting announcements, events and activities. It is recommended that the City develop a statement of accommodation that is consistent and provide procedures and training regarding the inclusion of the "statement of accommodation" on selected public-facing documents so that participants with disabilities that may need an accommodation to participate in the City's programs, services and activities can request reasonable accommodations.
7. **PUBLIC RIGHTS-OF-WAY:** The City should continue to address the City's sidewalks, crosswalks, curb ramps, intersections, protruding objects and other related areas in the pedestrian access route for compliance with accessibility standards and requirements. The findings from the access routes in the public right-of-way that were inspected as a part of this project should be incorporated into the overall City of Milford ADA/504 Self-Evaluation and Transition Plan in order to have a complete plan and to meet the regulatory requirements of governing authorities.
8. **CONSTRUCTION OVERSIGHT:** The City should consider a more formalized construction oversight process to include accessibility plan reviews, proposal development for accessibility, construction reviews, post construction reviews and acceptance by the City.
9. **STAKEHOLDER INPUT AND OUTREACH:** The City may consider forming a disability access advisory group or committee that could serve as a liaison between stakeholders and the City to provide input and suggestions regarding access by persons with disabilities. Additional activities may include pictures of persons with disabilities in publications, information regarding accessibility provisions for City events and programs, accommodations to increase participation and increased participation of persons with disabilities on committees and advisory boards.

10. TRAINING: Training should be provided for City staff and volunteers regarding the responsibilities of the City for ADA compliance, providing accommodations and providing programs, services, and activities for persons with disabilities.
11. PLANNING AND BUDGETING: The City should continue to plan and budget for barrier removal of items that may deny access for persons with disabilities. The most recent ADA/504 transition plan that was developed and updated for buildings, parks, recreational facilities and public rights-of-way will provide additional information regarding allocation of funds that are required during the barrier removal process.

Draft for Public Comment 10/20/21

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 Milford (City) will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The City 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 will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of Milford's programs, services, and activities.

Modifications to Policies and Procedures: The City 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 the City 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, should contact the office of the program, service or activity coordinator as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City of Milford 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 is not accessible to persons with disabilities should be directed to:

Mr. Michael Svaby, ADA Coordinator
City of Milford
180 Vickers Drive
Milford, DE 19963
Email: msvaby@milford-de.gov
Phone: (302) 387-9389
TTY: by Delaware Relay at 7-1-1

The City 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 and services or reasonable modifications of policy.

This notice is available in alternate formats from the ADA/504 Coordinator.

Public input notice from the City's website:

Posted on: March 15, 2021

City of Milford Begins Writing ADA Transition Plan – See how you can help!



City of Milford DE ADA Coordinator

Mr. Michael Svaby
180 Vickers Drive
Milford DE 19963
302-387-9389
msvaby@milford-de.gov

City of Milford DE 504 Coordinator

Ms. Sandra Peck
10 SE Second Street
Milford, DE 19963
302-424-5144, ext1144
speck@milford-de.gov

All: Attached, you will find a survey of questions designed to supplement information gathered that will be used to create an ADA transition plan for the City. The survey takes approximately 5-10 minutes to complete. Your input is invaluable in our efforts toward creating a positive, comprehensive plan for the City. Your complete candor is necessary in order to determine the area of possible improvement areas such as accommodations, accessibility, training and education.

If you are responding on behalf of an organization, please click on this link and take the survey:

https://dac.sjc1.qualtrics.com/jfe/form/SV_cYoeAkCHW7CVFvn

If you are an individual survey participant, please click on this link and take the survey:

https://dac.sjc1.qualtrics.com/jfe/form/SV_6kQN4kVGEEdHBbZr

Your input is greatly appreciated. Thanks in advance for your support of this important Program. If you have any questions, please contact ADA Coordinator Michael Svaby at 302-387-9389 or msvaby@milford-de.gov.

Public input notice from the News Break website:

< View more in  **Milford, DE**

City of Milford Begins Writing ADA Transition Plan – See how you can help!

cityofmilford.com 2021-03-15

All: Attached, you will find a survey of questions designed to supplement information gathered that will be used to create an ADA transition plan for the City. The survey takes approximately 5-10 minutes to complete. Your input is invaluable in our efforts toward creating a positive, comprehensive plan for the City. Your complete candor is necessary in order to determine the area of possible improvement areas such as accommodations, accessibility, training and education.



www.cityofmilford.com 

 4     

Public input notice from the Spot On Delaware website:

 **City of Milford Gov**

March 15, 2021, 05:55 am Previous Next

Milford

City of Milford Begins Writing ADA Transition Plan -- See how you can help!

15-03-2021 12:55 PM

Your input is invaluable in our efforts toward creating a positive, comprehensive ADA plan for the City.

[Read further at news source](#)

ADA Grievance Procedure

City of Milford

Complaint and Grievance Procedure under the Americans with Disabilities Act and Section 504 of the Rehabilitation Act

The Complaint and Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA") and Section 504 of the Rehabilitation Act of 1973. It may be used by anyone who wishes to file a complaint or grievance alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Milford. The City of Milford's Personnel Policy governs employment-related complaints of disability discrimination.

The City of Milford wants to hear concerns and complaints from citizens in order to provide accessible programs, services and activities. A citizen can call with a comment, concern or complaint without filing a formal grievance. A formal grievance can be filed by completing the grievance and complaint form or by contacting the ADA Coordinator or their designated alternative person.

It is preferred that the grievance be in writing and contain information about the alleged discrimination such as name, address and contact information of the grievant. A description of the problem that includes location and date is requested.

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. If additional accommodations are needed, please contact the ADA Coordinator.

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:

Mr. Michael Svaby, ADA Coordinator
City of Milford
180 Vickers Drive
Milford, DE 19963
Email: msvaby@milford-de.gov
Phone: (302) 387-9389
TTY: Delaware Relay at 7-1-1

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or their designee will contact the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the discussion the ADA 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 tape. The response will explain the position of the City of Milford and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or their 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 Mr. Mark Whitfield, City Manager, or their designee:

Mr. Mark Whitfield
City of Milford
201 S. Walnut Street
Milford, DE 19963
Email : mwhitfield@milford-de.gov
Ph: 302-422-1111
Fx: 302-424-3558
TTY : Delaware Relay at 7-1-1

Within 15 calendar days after receipt of the appeal, the ADA Coordinator or their designee will contact the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the discussion, the Coordinator 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 Coordinator or their designee, appeals to the City Manager or their designee, and responses from these two offices will be retained by the City of Milford for at least three years.

A copy of the City of Milford's ADA/504 Self-evaluation and Transition Plan is available from the ADA Coordinator.

**Americans with Disabilities Act
Section 504 of the Rehabilitation Act of 1973
Grievance Form**

Instructions: Please fill out this form completely. A printed or typed response is recommended. Sign and return to the address on last page by email, mail or in person. If you need an accommodation to complete or submit this form, please contact the ADA Coordinator as indicated on this form.

1. Complainant: _____

Address: _____

City, State and Zip Code: _____

Telephone: Home: _____ Business: _____

2. Person Discriminated Against: (if other than the complainant): _____

Address: _____

City, State, and Zip Code: _____

Telephone: Home: _____ Business: _____

3. Department or person which you believe has discriminated (if known):

Name: _____

Address: _____

City, State and Zip Code: _____

Telephone Number: _____

When did the discrimination occur? Date: _____

4. Describe the acts of discrimination providing the name(s) where possible of the individuals who discriminated:

5. Have efforts been made to resolve this complaint? Yes No

If yes: what efforts have been taken and what is the status of the grievance?

6. Has the complaint been filed with another bureau, such as the Department of Justice or any other Federal, State, or local civil rights agency or court?

Yes No

If yes:

Agency or Court: _____

Contact Person: _____

Address: _____

City, State, and Zip Code: _____

Telephone Number: _____ Date Filed: _____

7. Do you intend to file with another agency or

court? Yes No

Agency or Court: _____

Street Address: _____

City, State and Zip Code: _____

Telephone Number: _____

8. Additional comments or information:

Signature: _____ Date: _____

Return to:

Mr. Michael Svaby, ADA Coordinator
City of Milford
180 Vickers Drive
Milford, DE 19963
msvaby@milford-de.gov
Phone: (302) 387-9389
TTY: by Delaware Relay at 7-1-1

Appendix C- Survey Results

City of Milford Survey for Public Input

36 online responses received

Public Input Timeframe: March 15, 2021 to April 30, 2021

Note: names and personally identifying information has been redacted.

What role most adequately describes your association with the City of Milford and the representation you are providing?

#	Answer	%	Count
1	Member of the public with a disability	33.33%	12
2	Member of the public without a disability	36.11%	13
3	Relative or caregiver of a person with a disability	22.22%	8
4	Other:	8.33%	3
6	City volunteer	0.00%	0
	Total	100%	36

Other:

Retired Federal Highway Administration employee responsible for ADA oversight and enforcement in DE and MD.

Helped write the ADA and its implementing regulations; Florida State employee responsible for overseeing its implementation in all three branches of government and for providing training and technical assistance to state and local governments. Oversaw enforcement of the ADA and 504 as Senior Analyst in the Office for Civil Rights in HHS headquarters; wrote investigative policy; worked with other health and social services agencies and DOJ in developing, writing, and delivering technical assistance; and developed compliant website.,

Do you participate in programs, services, activities or events offered by the City?

#	Answer	%	Count
1	No	34.38%	11
2	Yes - Please list:	62.50%	20
3	Not applicable	3.13%	1
	Total	100%	32

Yes - Please list:

DMI

Bugs and buds

Festivals

Not specific

Most of the City sponsored events especially Downtown Milford group

Use sidewalks within the City.

When I can

City wide festivals

I move here in February 2021 but I plan to participate.

Some

Bug & Bud Festival, Riverwalk Festival, Farmers market

DMI Events & P&R Events

Festivals in town, food truck nights, library events

I work in Milford, attend church and participate in activities and events with my family

Many festivals

concerts in park, other downtown events

MEETINGS

Do you know who to contact if you need assistance, have a concern or complaint, or need an accommodation to access a facility, service, or event?

#	Answer	%	Count
1	No - I do not know who to contact	77.42%	24
2	Yes - Please list who you would contact:	22.58%	7
	Total	100%	31

Yes - Please list who you would contact:

Call main number for City and I am then directed to correct person or office.

Tom Nickle, DelDOT. US Dept of Justice, USDOT FHWA Delaware Division

I do not need assistance

Mayor Archie

Mark Whitfield

The Mayor, City Council members, Police, Public Works to name a few.

Have you ever requested an accommodation for a disability from the City?

#	Answer	%	Count
1	No	93.55%	29
2	Yes - Please describe the request:	6.45%	2
	Total	100%	31

Yes - Please describe the request:

I am not sufficiently familiar with the City of Milford to comment either way.

Was your accommodation provided?

#	Answer	%	Count
1	No	3.33%	1
2	Yes	3.33%	1
3	Yes, but I was unsatisfied with how the accommodation was provided - Please elaborate:	3.33%	1
4	Not applicable	90.00%	27
	Total	100%	30

Is the attitude of City staff towards persons with disabilities generally helpful, supportive, positive, and proactive in solving accessibility issues?

#	Answer	%	Count
1	No - Please explain:	6.67%	2
2	Yes	13.33%	4
3	Somewhat	10.00%	3
4	Do not know	70.00%	21
	Total	100%	30

No - Please explain:

There is a feeling that builders, special interests and local businesses are held at a higher regard than the citizens.

Are you aware of any specific concerns, complaints, or problems regarding access for persons with disabilities to any of the programs, services, or activities provided by the City?

#	Answer	%	Count
1	No	82.76%	24
2	Yes - Please describe:	17.24%	5
	Total	100%	29

Yes - Please describe:

Parking and curbing for wheelchair not always available downtown

Crumbling infrastructure, sidewalks roads, etc. Inadequate traffic controls and no enforcement of speed, crosswalks, etc.

Sidewalks difficult to navigate with stroller, so would be difficult with wheel chair

My son had MD and I appreciate and recognize steps Milford has taken to accommodate related disabilities.

Do you know who the designated ADA Coordinator is for the City?

#	Answer	%	Count
1	No	48.28%	14
2	No, I have not had a need or reason to seek out this person.	34.48%	10
3	Yes - Please provide the name:	17.24%	5
	Total	100%	29

Yes - Please provide the name:

Can't remember name but it was listed when I saw this survey on City of Milford's website.

I cannot provide the name but saw it on your website.

Mike Svaby

Michael Svaby, only know this because I saw it on this survey.

Mike Svaby

What do you feel should be the City's highest priority to improve accessibility for persons with disabilities?

Sidewalk improvement. Some don't exist or are in such bad shape that even walking is difficult. Trip hazard, uneven

Enforcement of handicapped parking laws. I'm sick of people parking there without plates/tags

Fix old sidewalks Marked crosswalks Speed enforcement

Possibly more handicap parking spaces

Ramps for people who use walkers

Insure that all buildings are accessible along with making sure that the city offers programs for children with disabilities.

Accessibility getting around the streets in Milford and ability to enter business locations.

Develop your transition plan, then develop a reasonable and achievable implementation plan. On you website have a separate page for ADA that contacts documents, contacts including DeIDOT and USDOT, non-discrimination, statements, ways to file complaints including how they will be addressed.

More accessible parking and curbing for access

Clear and complete sidewalks with cutouts for wheelchairs, accessible bathrooms at all events.

I think its about access. Corner sidewalks with ramps, easy access to buildings via Push button or video identifier. Bus service for those disabled to doctors, hospital and other similar locations.

Spend money wisely to make necessary improvements to sidewalks and roads to make them ADA compliant. Initiate a campaign to make sure those with needs have the proper supports within the city.

Anything provided free via tax dollars to non-ADA neighbors should be accessible free to ADA neighbors.

Repair streets and walkways,

Sidewalks repaired, replaced, or added to areas without.

Sidewalks and people smoking on them blocking the path.

Keeping the walkways repaired and clean from debris including geese droppings, in the riverwalk area. Having more designated handicap parking spaces along side streets would also be if help.

Ensure their access to services and protect their privacy in doing so.

parking and bus transport

Continued maintenance or ramps and ensuring that all businesses in the city are in compliance. My husband is now diseased, however, required ambulance service for dialysis. Often the ambulance had issues because of basketball nets and cars parked across from him - the ambulance had problems driving the street without the top of the ambulance hitting the basketball nets. IF AN EMERGENCY FIRE OR AMBULANCE THESE ARE A PROBLEM. Sorry for the kids but need to be sure that homeowners are aware of the safety issues concerning these nets facing the city streets. This might not be ADA but a concern. As noted top priority the make all businesses ADA compliant and safe - until you have someone with a problem these small issues might not be noticed. THANKS

Doing this plan 27 years late is a good start. Merging 504 and ADA coordination. Making ADA/504 compliance part of every planning/implementation.

awarness

Thank you for completing this survey. The information collected will assist the City in improving the accessibility of programs offered to the people it serves. If you have any questions regarding the City of Milford's ADA Self-Evaluation and Transition Plan or are aware of any specific physical or programmatic barriers, please let us know of any suggestions or comments.

I would just like to be informed as this process moves forward.

My son had MD and I recognize and appreciate the steps Milford has taken to accommodate related disabilities.

Hire me as advisor.

City of Milford Survey for Organizational Input

1 online response received

Public Input Timeframe: March 15, 2021 to April 30, 2021

Note: names and personally identifying information has be redacted.

Optional: Please complete the following:

Name of organization =

C.E.R.T.S

What direct communications have you had with the City regarding services and accommodations for persons with disabilities?

none

Are you aware of any specific complaints or problems regarding access for persons with disabilities to any of the programs, services, activities or events provided by the City?

I am not

What information or other resources can you supply to help educate or inform the City about your organization and your services for persons with disabilities?

In the distant future, we plan to open a center in Sussex County. Our program was founded by and guided by parents committed to provide a quality day program for individuals with multiple severe disabilities. Our mission is to enrich the lives of adults with multiple, severe disabilities, in turn, their families through an active personalized program. We provide stimulating programming which improves each participant's quality of life by keeping and building upon skills gained through their school experience. We are a MOVE (mobility opportunities Via experience)adult model site. MOVE helps our participants acquire increased independence in sitting, standing, and walking in order for them to experience better health and enhanced personal dignity.

What general guidance, advice or assistance could your organization provide to the City to protect against potential discrimination of persons with disabilities in its programs, services, activities and events?

Be inclusive.

What do you feel is the highest priority for the City to improve accessibility for persons with disabilities?

The city sidewalks need to have ramps for wheelchairs so they are not forced to use the street.

Please add any additional comments here - Thank you for your input.

Thank for being proactive in trying to make the City of Milford more inclusive.

City of Milford Survey for Staff Input
33 online responses received

Public Input Timeframe: March 11, 2021 to April 2, 2021

Note: names and personally identifying information has be redacted.

What description most adequately describes your role with the City of Milford?

#	Answer	%	Count
1	I am responsible for administering a program, service or activity	27.27%	9
2	My role is to provide support to a City program, service, or activity	39.39%	13
3	I am a Department Head, Manager, or the City Manager	33.33%	11
	Total	100%	33

Which department do you primarily work for?

- Parks and Recreation
- Finance
- Park's and Recreation
- Permitting/Code Enforcement
- Public Works
- IT
- GARAGE
- Parks and Recreation
- Parks and Recreation
- Administration - City Clerks Office
- planning and zoning
- Planning Department
- Public Works
- Public Works
- Engineering
- engineers
- The City of Milford, as the Mayor of the City
- Finance
- IT Department
- Water / Waste Water /Streets and Utilities / Solid waste
- Public Works
- technical services
- Human Resources
- public works
- Finance
- Finance Department
- Electric
- Public Works
- Planning and Zoning
- streets & utilities
- Administration

CUSTOMER SERVICE

Public Works

At which sites(s) are the services your department provides located?

#	Answer	%	Count
4	All locations	57.58%	19
5	Only at the following locations: (please list the locations)	42.42%	14
	Total	100%	33

Only at the following locations: (please list the locations)

10 SE 2nd St; Finance Building

park lands right of ways flowers sub-stations Boys & Girls club

Public Works Building

Public Works Warehouse

180 VICKERS DRIVE

Parks, playgrounds, cemetery, parks and recreation building

City Hall

180 Vickers Drive

10 SE 2nd Street

Public Works 180 Vickers Drive Milford. DE. 19963

PW

10 SE 2nd St Milford, De 19963

Directly at City Hall, but includes services at all departments

119 S WALNUT ST

Does your role require regular interaction with the public?

#	Answer	%	Count
1	Yes	69.70%	23
2	No	30.30%	10
	Total	100%	33

Do you know who the designated ADA Coordinator is for the City of Milford?

#	Answer	%	Count
1	Yes - Please provide the name:	54.55%	18
2	No	45.45%	15
	Total	100%	33

Yes - Please provide the name:

Mike Svaby

MIKE SVABY

Michael Svaby

you?

james puddicombe

Michael Svaby

MIke Svaby

Mike Svaby

Mark Whitfield - City Manager

Christie Murphy ?

Michael Svaby

The name has to be changed due to an upcoming voluntary resignation.

Will

Mike Svaby

Mike Svaby

Rob Pierce

michael svaby

ROB PIERCE

Have you received training or information regarding the requirements of the Americans with Disabilities Act?

#	Answer	%	Count
1	Yes, I have received training only	0.00%	0
2	Yes, I have received information only	30.30%	10
3	Yes, I have received both training and information	18.18%	6
4	No	51.52%	17
	Total	100%	33

Have you received training on providing services or activities for persons with disabilities?

#	Answer	%	Count
1	Yes	15.15%	5
2	No	84.85%	28
	Total	100%	33

Would ADA related training or technical assistance services in these areas be helpful for you or other department staff? (check all that apply):

#	Answer	%	Count
1	Developing policies and procedures	19.10%	17
2	Assisting persons with disabilities	16.85%	15
3	Legal requirements	21.35%	19
4	Responding to requests for accommodations (i.e. American Sign Language interpreters, assisted listening devices, etc.)	12.36%	11
5	Providing materials in alternate formats (i.e. Braille, audio recordings, etc.)	8.99%	8
6	American Sign Language (ASL) training	8.99%	8
7	Other - Please list:	4.49%	4
8	None	7.87%	7
	Total	100%	89

Other - Please list:

Doesn't really apply to us

I had a person from Ksi work for the department back in 2019 for 12 hrs a week

we have policies in place for the can do playground

info pertaining to grants or funding

Have you received, or are you aware of any specific concerns, complaints or problems regarding access for persons with disabilities to any of the programs, services, activities or facilities provided by the City of Milford?

#	Answer	%	Count
1	Yes - Please describe:	6.06%	2
2	No	93.94%	31
	Total	100%	33

Yes - Please describe:

just for me ppl complaning

Access thru rear door of city hall in relation to the opening of door;

In your opinion, what do you feel should be the highest priority of the City of Milford to improve accessibility for persons with disabilities?

Ramps

Executing required changes that result in improvements in accessibility for the most common types of disabilities.

accessibility and making sure we are 1/3 of compliant with ADA.

Easier access to buildings and around town, options for seeing or hearing impaired people.

Making payments

CITY HALL , BILLING DEPT

Being able to safely navigate around the city downtown, parks and riverwalk.

ramps, adequate door length, parking spaces However, we are good on all of those, as far as I can see. This is really not in my realm or scope in my job description and duties.

General sidewalk improvements throughout the City including new curb ramps and removal of impediments from the walkway.

Awarness

Street crossings and sidewalk access

Follow ADA Regulations

follow ADA sepc.

We must follow the laws established for people with disabilities.

I'm not familiar with accessibility in each facility. I'm glad the sidewalks are being addressed, as I used to walk around town over lunch and you really need to pay attention to not trip.

Public awareness of citizen's responsibilities concerning ADA

Awareness and Education

Collaborations with local disability organizations to identify needs, create and disseminate community input surveys specific to City ADA requirements, assess our programs, activities and services, identify methods to remove barriers, review public right of way infrastructure (signals, sidewalks, parking lots, etc.)

Make sure all City offices are handicapped accessible.

ADA compliant sidewalks and crossings

parking ,sidewalks

Ensure easy access to facilities including ramps and support for those that have hearing and/or speech impairments with meetings and thru website

VISIBLE CROSS WALKS

I don't know

Is there a policy in place for responding to requests from the general public for accommodations to the program allowing persons with disabilities to participate?

#	Answer	%	Count
1	Yes	9.09%	3
2	No	6.06%	2
3	Do not know	78.79%	26
4	Not applicable	6.06%	2
	Total	100%	33

How much notice is required to provide an accommodation request?

#	Answer	%	Count
1	24 hours or less (not including weekends/holidays)	0.00%	0
2	1-4 workdays	0.00%	0
3	More than 1 week	0.00%	0
4	Don't know - have not completed such a request	81.82%	27
5	Not applicable	12.12%	4
6	1-3 workdays	6.06%	2
	Total	100%	33

Does the program charge an additional fee for modifying the program for a person with disabilities that is not charged for a person without a disability?

#	Answer	%	Count
1	Yes - Please describe:	0.00%	0
2	No	30.30%	10
3	Do not know	51.52%	17
4	Not applicable	18.18%	6
	Total	100%	33

What types of accommodations have been requested?

None
I am unaware of any accommodation requests.
JUST IF COMPLIANT
N/A
Do not know.
NONE
So far we have only had rare requests for ADHD and Autistic children to participate in our programs
none
n/a
unknown
I don't know
N/A
Few but entrance ways, etc.
I am not aware of accommodations that have been requested.
N/A

Don't know. I have not been part of this to date

I do not know of any specific accommodations that have been requested.

Do Not Know

Not aware of any
parking signs

Closed Captioning

I AM NOT AWARE OF ANY REQUESTS

Does the department track accommodation requests?

#	Answer	%	Count
1	Yes	3.03%	1
2	No	12.12%	4
3	Do not know	72.73%	24
4	Not applicable	12.12%	4
	Total	100%	33

Does the department offer any programs, services, activities, or events specifically for persons with disabilities?

#	Answer	%	Count
1	Yes - Please describe:	6.25%	2
2	No	21.88%	7
3	Do not know	62.50%	20
4	Not applicable	9.38%	3
	Total	100%	32

Yes - Please describe:

PLAYGROUND AND ANY PROGRAMS

Customer service follows Delaware Code for medical needs that require electric

Is a "Notice under the Americans with Disabilities Act" or a nondiscrimination statement available and posted for program participants who may be persons with disabilities?

#	Answer	%	Count
1	Yes - Please describe the locations where it is available:	18.75%	6
2	No	6.25%	2
3	Do not know	71.88%	23
4	Not applicable	3.13%	1
	Total	100%	32

Yes - Please describe the locations where it is available:

City hall, Public Works, Parks & Recreation depts.

the City's website: <http://www.cityofmilford.com/accessibility>

Front door of each building

We have a statement posted on our outside front door

labor signs

lobby (public area)

Does the nondiscrimination statement include information about the City 's ADA coordinator and how to contact them or file a grievance?

#	Answer	%	Count
1	Yes	9.38%	3
2	No	9.38%	3
3	Do not know	75.00%	24
4	Not applicable	6.25%	2
	Total	100%	32

Are you familiar with the City 's grievance or complaint procedures for persons with disabilities?

#	Answer	%	Count
1	Yes	9.38%	3
2	No	65.63%	21
3	Do not know	25.00%	8
4	Not applicable	0.00%	0
	Total	100%	32

Are grievances or complaint procedures available?

#	Answer	%	Count
1	Yes, for employees only	12.50%	4
2	Yes, for the public only	0.00%	0
3	Yes, for employees and the public	18.75%	6
4	No	0.00%	0
5	Do not know	68.75%	22
	Total	100%	32

If participants are required to fill out a form to participate in department programs, how is it made available?

#	Answer	%	Count
1	Both online and by hard copy	33.33%	10
2	Online only	6.67%	2
3	Hard copy only	6.67%	2
4	Not applicable	53.33%	16
	Total	100%	30

What types of accessible alternate formats does the department make available for persons with disabilities when requested? (check all that apply):

#	Answer	%	Count
1	Audio recording (cassette or digital)	2.86%	1
2	Braille	0.00%	0
3	Large print	2.86%	1
4	Electronic copy (for use with a screen reader)	2.86%	1
5	American Sign Language Interpreters	0.00%	0
6	Other media type - Please list:	0.00%	0
7	The department does not provide any alternative formats	20.00%	7

8	Do not know	62.86%	22
9	Assistive listening devices	0.00%	0
10	Electronic/computer-based document readers	2.86%	1
11	Enlarged keyboards	0.00%	0
12	Communication access real-time translation (CART)	2.86%	1
13	Video Remote Interpreting (VRI)	2.86%	1
	Total	100%	35

Does the department periodically include images of persons with disabilities in their printed materials and publications?

#	Answer	%	Count
1	Yes, images of persons with disabilities are included	6.67%	2
2	No, images of persons with disabilities are not included	40.00%	12
3	Not applicable	53.33%	16
	Total	100%	30

Does the department require that public meetings and conferences be held in accessible locations?

#	Answer	%	Count
1	Yes	46.88%	15
2	No	6.25%	2
3	Do not know	46.88%	15
	Total	100%	32

Are assistive listening devices or systems available for public meetings?

#	Answer	%	Count
1	Yes - Please include how many are available and the capacity of seating in the combined rooms utilized for public meetings:	3.13%	1
2	No	6.25%	2
3	Do not know	90.63%	29
	Total	100%	32

Yes - Please include how many are available and the capacity of seating in the combined rooms utilized for public meetings:

City Hall, public works, etc

Does the department have a policy for service animals?

#	Answer	%	Count
1	Yes	3.13%	1
2	No	9.38%	3
3	Do not know	87.50%	28
	Total	100%	32

Are you aware of any persons with disabilities currently serving on any of the department advisory boards or committees?

#	Answer	%	Count
1	Yes	3.13%	1
2	No	21.88%	7
3	Not applicable	6.25%	2
4	Do not know	68.75%	22
	Total	100%	32

What tools does the department use to communicate by phone with people who have speech or hearing difficulties?

#	Answer	%	Count
1	Text-telephone (TTY or TDD)	3.13%	1
2	Third-party relay system where a trained operator facilitates a conversation between staff and the caller	3.13%	1
3	Other - Please list:	0.00%	0
4	None	21.88%	7
5	Do not know	71.88%	23
	Total	100%	32

Does the department publish the City 's text telephone relay service in all materials where a phone number is listed?

#	Answer	%	Count
1	Yes	0.00%	0
2	No	15.63%	5
3	Do not know	84.38%	27
	Total	100%	32

If a third-party relay system is used, does department staff receive training on how to place a relay call as well as receive one?

#	Answer	%	Count
1	Yes - Please describe the training:	3.13%	1
2	No	21.88%	7
3	Do not know	75.00%	24
	Total	100%	32

Yes - Please describe the training:

JUST TO CALL THE INDIVUAL SERVICES PROVIDER

On the City website, is there information about the accessibility of its programs, services, and activities (Parking, bathrooms, assistive listening devices, Sign Language interpreters, Braille, etc.)?

#	Answer	%	Count
1	Yes - Please briefly describe:	50.00%	2
2	No	50.00%	2
	Total	100%	4

Yes - Please briefly describe:

as stated

<http://www.cityofmilford.com/accessibility>

Does the website home page include easily located information, including a telephone number and email address, for use in reporting website accessibility problems and requesting accessible services and information?

#	Answer	%	Count
1	Yes	28.13%	9
2	No	6.25%	2
3	Do not know	65.63%	21
	Total	100%	32

Does the department provide transportation to volunteers, visitors, or students?

#	Answer	%	Count
1	Yes - Please describe:	3.13%	1
2	No	37.50%	12
3	Do not know	37.50%	12
4	Not applicable	21.88%	7
	Total	100%	32

Yes - Please describe:

Camps use buses for field trips

Does the department have procedures to make transportation accessible to persons who have visual, hearing, mobility and learning disabilities?

#	Answer	%	Count
1	Yes - Please describe the procedures:	3.13%	1
2	No	25.00%	8
3	Do not know	50.00%	16
4	Not applicable	21.88%	7
	Total	100%	32

Yes - Please describe the procedures:

Local transportation

Does the department provide facility tours or organize trips for members of the public?

#	Answer	%	Count
1	Yes - Please list the tours and trips offered:	6.25%	2
2	No	34.38%	11
3	Do not know	50.00%	16
4	Not applicable	9.38%	3
	Total	100%	32

Yes - Please list the tours and trips offered:

field trips for camp participants

On request

Is the evacuation route or instructions posted in a visible and accessible area of each floor in all facilities used by the department?

#	Answer	%	Count
1	Yes	68.75%	22
2	No	6.25%	2
3	Do not know	25.00%	8
	Total	100%	32

Do the emergency procedures include instructions for persons with disabilities?

#	Answer	%	Count
1	Yes	6.25%	2
2	No	34.38%	11
3	Do not know	59.38%	19
	Total	100%	32

Does the department host any public special events on public property?

#	Answer	%	Count
1	Yes - Please describe:	40.63%	13
2	No	31.25%	10
3	Do not know	21.88%	7
4	Not applicable	6.25%	2
	Total	100%	32

Yes - Please describe:

VOTING , TOUCH A TRUCK

meetings

Public Workshops related to Planning Studies

festivals

General events for public

Festivals

Festivals

Touch a truck Milford nite out

Touch A Truck and various Community events

council meeting

Throughout the city Variety of events

Does the department have staff notify vendors and third-party entities of obligations to facilitate participation of persons with disabilities in special events or private events held on public property?

#	Answer	%	Count
1	Yes - Please describe how this is done:	3.13%	1
2	No	28.13%	9
3	Do not know	68.75%	22
	Total	100%	32

Yes - Please describe how this is done:

Discussed in contracts with 3rd party vendors.

Are there policies and procedures for selling tickets and assigning seating for persons with disabilities?

#	Answer	%	Count
1	Yes - Please describe:	0.00%	0
2	No	9.38%	3
3	Do not know	56.25%	18
4	Not applicable	34.38%	11
	Total	100%	32

Are department staff informed of the department's obligations and policies that enables persons with disabilities to participate in the program?

#	Answer	%	Count
1	Yes - Describe how department staff are informed:	6.25%	2
2	No	9.38%	3
3	Do not know	75.00%	24
4	Not applicable	9.38%	3
	Total	100%	32

Yes - Describe how department staff are informed:

All welcomed

During City elections

Are you aware of any areas or elements of the facilities that the department utilizes which are not accessible to persons with disabilities?

#	Answer	%	Count
1	Yes - Please describe :	3.23%	1
2	No	87.10%	27
3	Not applicable	9.68%	3
	Total	100%	31

Yes - Please describe :

Doors are not equipped to open automatically

Are there any procedures in place for monitoring and/or maintaining accessible features (i.e. adjusting door pressure, repainting accessible parking spaces, repairing uneven curb cuts and sidewalks, trimming trees and hedges encroaching into a path of travel, etc.)?

#	Answer	%	Count
1	Yes - Please describe:	25.00%	8
2	No	12.50%	4
3	Do not know	62.50%	20
	Total	100%	32

Yes - Please describe:

Park Staff keeps all these maintained.

yes, our parking spots were repainted and new signage was put in place.

maintenance is upkept

normal city maintenance

General construction work for new and repairs requires ADA compliance

All City buildings

Usual annual maintenance procedures for attributes in place

parking

Does the City have a facility use or lease agreement?

#	Answer	%	Count
1	Yes	20.00%	6
2	No	10.00%	3
3	Not applicable	70.00%	21
	Total	100%	30

Does the department rent or lease facilities or space to individuals, groups or organizations?

#	Answer	%	Count
1	Yes - Please list:	22.58%	7
2	No	29.03%	9
3	Not applicable	48.39%	15
	Total	100%	31

Yes - Please list:

THE Armory main building

In non-pandemic times, civic and non-profit organizations, excluding personal parties, rent our meeting room.

our back room is leased at times to groups like the garden club

Multiple

I'm not sure.

Armory, Head Start, sports sites

Do you have input or involvement with design and construction activities for new or altered space?

#	Answer	%	Count
1	Yes - Please elaborate:	21.88%	7
2	No	65.63%	21
3	Not applicable	12.50%	4
	Total	100%	32

Yes - Please elaborate:

I will be participating on a limited extent in the discussions related to the construction of the new police facility.

Planning Department issues building permits

Facilities Supervisor

Oversight of street construction

Mayor

Facilities is in this Department so both the Facilities Mgr and I have such input

I have drawn up some parking lot restriping

Are there procedures or standards in place which ensure accessibility compliance and best practices are incorporated into design and construction activities?

#	Answer	%	Count
1	Yes - please elaborate:	21.88%	7
2	No	0.00%	0
3	Do not know	71.88%	23
4	Not applicable	6.25%	2
	Total	100%	32

Yes - please elaborate:

Not sure of specific procedures, but the Citizens Advisory Committee review of the police facility, the hiring of a professional architect and the hiring of a construction management firm are expected to ensure accessibility compliance.

yes to make sure we are compliant

Required to meet building construction codes

follow engineer and consultants best practices

Must meet ADA standards

sidewalk and ramps

Is there a budget for improving accessibility for facilities?

#	Answer	%	Count
1	Yes - Please describe:	18.75%	6
2	No	3.13%	1
3	Do not know	78.13%	25
4	Not applicable	0.00%	0
	Total	100%	32

Yes - Please describe:

I believe we're putting \$150,000 into the FY'22 CIP budget for ADA accessibility improvements, and we may be able to bolster that with ARPA funding.

In dept. budgets

Sidewalk ADA plan is in the CIP FY22-26 plan to be presented to council

Beginning in FY 22 when the City's transition plan is being produced, there will be \$150k put into each year's CIP until more specific information regarding costs is available from the transition plan

I do believe money will be budgeted for the ADA Transition Plan.

Is there a policy in place for other power-driven mobility devices (OPDMD)?

#	Answer	%	Count
1	Yes - Please explain:	6.25%	2
2	No	9.38%	3
3	Do not know	84.38%	27
4	Not applicable	0.00%	0
	Total	100%	32

Yes - Please explain:

ramp and sidewalk

Do you have responsibility for creating web page content?

#	Answer	%	Count
1	Yes	9.38%	3
2	No	90.63%	29
	Total	100%	32

Do you have responsibility for website accessibility?

#	Answer	%	Count
1	Yes	15.63%	5
2	No. If no, do you know who is responsible for website accessibility? Please explain:	84.38%	27
	Total	100%	32

No. If no, do you know who is responsible for website accessibility? Please explain:

I don't know, but I feel like it may be in the City Secretary's purview?

James puddicombe

Should be IT Department

Rhiannon /Katrina

No

City Manager

I'd image the City Clerk but I do not know that for certain.

No

not sure who is in charge of website

Rhiannon Slater, Superintendent of Operations

i do not know who is responsible for website accessibility

Currently, Rhiannon Slater; however, this will change upon a upcoming new hire who will take over this function.

In the past, it has been the Deputy City Clerk. Not sure who is responsible currently.

I think that Civic Plus (the hosting and design service) would handle that

not sure

I do not