ADA COMPLIANCE PLAN FOR COUNTY MAINTAINED ROADS
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1.0 ADMINISTRATION

1.1 LEGAL REQUIREMENT/SCOPE

The Americans with Disabilities Act (ADA) of 1990 provides comprehensive civil rights protections to qualified individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications. A primary goal of the ADA is to ensure equal participation in public life for all Americans with disabilities. Title II of the ADA covers the accessibility of programs, services and activities of public entities, such as those offered by the County of Humboldt.

Humboldt County’s Americans with Disabilities Act (ADA) Compliance Plan for County Maintained Roads (from here on called “the Plan”) supports the County in fulfilling the requirements set forth in Title II of the ADA as well as California Government Code Section 4450. The ADA states that public entities must reasonably modify policies, practices, and procedures so as to protect against discrimination towards people with disabilities. The Plan assists Humboldt County in identifying policy, program, and physical barriers to accessibility and guides Humboldt County in developing solutions to remove barriers and ease access to services for all individuals.

The Plan for the County Maintained Roads is a subset of the County’s overall ADA Compliance Plan and applies only to the roads in the County Maintained Road System. The Plan provides for the completion of improvements set forth in Section K of the Consent Decree that remain uncompleted as of the date that the Consent Decree expired, March 13, 2020. This includes, but is not limited to curb ramps, access to County facilities from the nearest accessible parking stall and from the nearest bus stop within a 0.5 mile walking path of County programs, services and activities; and provides a protocol to address requests to remove barriers to access on County maintained roads.

Other public right of ways or roadways in unincorporated areas of Humboldt County not in the County Maintained Road System, including private easements not maintained by the County, are not part of this Plan. Nor are roadways within incorporated cities part of this Plan and/or state highways. Roadways maintained by others are responsible for their own maintenance and are obligated to be compliant with the ADA. See Civil Code Section 845.

Roads in the County Maintained Road System are classified into two functional classifications: urban and rural. Urban roads have (or should have) pedestrian facilities. Rural roads do not have pedestrian facilities and are not included in the Plan. Over time, rural roads (or portions of rural roads) may have their functional classification change from rural to urban. As rural roads transform to urban, those roads will need to be assessed for accessibility.

Section 2.0 identifies the various categories of the County Maintained Road System included in the Plan.

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1 Consent Decree between the United States Department of Justice and the County of Humboldt dated 09/07/2016
The latest version of the following codes are applicable:

- 2014 California Manual of Uniform Traffic Control Devices (CA-MUTCD) rev 4
- 2019 California Building Code (CBC)

When there is a conflict between codes, the code that affords the greatest level of accessibility is to be used.

1.2 UPDATES/LIVING DOCUMENT

This document is intended to be a living document that is updated over time as work on the Plan is completed and if any additional barrier categories, or issues with addressing barriers are identified.

As of March 2020, the Department of Public Works has identified broad categories of the types of barriers that may exist within the County Maintained Road System. These are shown in Section 2.0 of this document. The quantity of barriers in each category has not been completely identified with the exception of the following categories: curb ramps and reported barriers. Public Works began the process of creating an inventory of curb ramps in 2016. Additionally, barriers have been identified on some roads that connect to County programs, services and activities.

With the exception of the curb ramp category (Section 2.3) and the pedestrian push buttons at cross walks category (Section 2.7), once the inventories are completed, it may be necessary to update the target dates for completion listed in Section 2.0 due to the extent of the barriers requiring removal.

1.3 ADA COORDINATOR

As required by the ADA, Humboldt County designated an ADA Coordinator to oversee the implementation of the Plan. The ADA Coordinator is housed in the ADA Compliance Team of the Humboldt County Administrative Office. The ADA Coordinator is responsible for the coordination and development of Humboldt County’s efforts to comply with Title II of the ADA and for investigating any complaints related to accessibility. The ADA Coordinator is also responsible for overseeing the County’s efforts to comply with all other applicable state and Federal accessibility requirements.

1.4 RESPONSIBLE PARTY

The County ADA Coordinator is the party responsible for overseeing all of the County's compliance plans within the jurisdiction of the County of Humboldt. The contact is:

ADA Coordinator
825 5th Street, Room 112
Eureka, CA 95501
844.365.0352
CRS 711
ADA@co.humboldt.ca.us
The Department of Public Works is the responsible party for ensuring that barriers within the public right of way are removed within timelines defined. The contact is:

Land Use Division Deputy Director  
Department of Public Works  
1106 Second Street  
Eureka, CA 95501  
707.445.7421  
CRS 711  
roadsdispatch@co.humboldt.ca.us

There are additional responsible parties listed in Section 2.0 of this document who are responsible for removing access barriers.

1.5 POLICY ON NON-DISCRIMINATION ON THE BASIS OF DISABILITY

The County of Humboldt does not discriminate on the basis of disability in employment, services, programs or accessibility. Persons alleging discrimination on the basis of disability may file a complaint on a form provided for this purpose with either the County Personnel Director, the County Administrative Officer or the County Official directly responsible for the service, program or activity, whoever is the most appropriate under the circumstances. Investigation of all such complaints shall be handled in an expedited fashion. Questions regarding this policy may be directed to:

ADA Coordinator  
County of Humboldt  
825 5th Street, Room 112  
Eureka, CA 95501  
844.365.0352  
CRS 711  
ADA@co.humboldt.ca.us

1.6 GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure was established to meet the requirements of the Americans with Disabilities Act of 1990. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs or benefits by the County of Humboldt.

Any complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of the complainant and location, date, and a description of the problem(s). Alternative means of filing a complaint, such as personal interviews or a tape recording of the complaint, are available to persons with disabilities upon request.

The complaint should be submitted by the grievant and/or their designee as soon as possible, but no later than 60 calendar days after the alleged violation to:
ADA Coordinator
County of Humboldt
825 5th Street, Room 112
Eureka, CA  95501
844.365.0352
CRS 711
ADA@co.humboldt.ca.us

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or their designee will schedule a meeting with the complainant to discuss the complaint and possible resolutions. After an investigation and review, the ADA Coordinator will respond in writing, and where appropriate, in a format accessible to the complainant. The response will explain the County's position on the issue and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or their designee may appeal the decision within 15 calendar days after receipt of the response to the Humboldt County Administrative Officer.

Within 15 calendar days after receipt of the appeal, the County Administrative Officer or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the County Administrative Officer 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 County Administrative Officer or their designee, and responses from these two offices will be retained by the County for at least three years.

1.7 PUBLIC INPUT

The County collaborated with Tri-County Independent Living (TCIL) as the primary stakeholder in developing the draft version of the Plan. TCIL is a consumer controlled, community based, cross disability, non-residential, non-profit organization that is designed and operated within a local community by and for people with disabilities. In addition, Humboldt County provided an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the final version of the Plan by submitting comments. In order to gain the perspective of persons with disabilities, an online open comment period opened on October 9, 2020, and closed on November 9, 2020, where members of the public were invited to comment on the draft version of the Plan. The final version of the Plan incorporates feedback received through the public input process. As part of the implementation of the Plan, Humboldt County intends to seek ongoing feedback on accessibility practices and operations on a regular basis. The ADA Coordinator will work with any interested residents on the best means to receive the ongoing input and feedback.
Contact Information for the Compliance Plan for County Maintained Roads is:

Land Use Division Deputy Director
Department of Public Works
1106 Second Street
Eureka, CA  95501
707.445.7241
CRS 711
roadsdispatch@co.humboldt.ca.us

or

ADA Coordinator
County of Humboldt
825 Fifth Street, Room 112, Eureka, CA 95501
844.365.0352
CRS 711
ADA@co.humboldt.ca.us

1.8 BARRIER REMOVAL REQUESTS
Removal of barriers to access in the County maintained roadway can be made in the following ways:

- filed online: [Preferred Method]

  https://humboldtgov.org/formcenter/public-works-12/ada-access-service-request-for-county-ma-92

  Note that data entered into this online form are automatically forwarded to the ADA Coordinator and the Public Works Dispatcher.

- by mail:

  Department of Public Works
  1106 Second Street
  Eureka, CA  95501

- by telephone:

  707.445.7241
  CRS 711

- by email:

  roadsdispatch@co.humboldt.ca.us

  or
ADA@co.humboldt.ca.us

Reports of barriers to access are distributed to the Department of Public Works. Public Works staff then will verify if the problem is on a County maintained road:

- If the barrier to access is not on a County maintained road, the Department of Public Works will advise the reporting party to contact the party responsible for the roadway within 5 working days from the date of the request.

It is important to note that not all public right of ways contain County maintained roads. Only portions of the public right of ways that have been accepted by the Board of Supervisors into the County Maintained Road System are maintained by the County.

All other right of ways are maintained by others, such as (but not limited to): United States of America, State of California, cities, special districts, homeowner associations, road maintenance associations, and easement owners.

- If the barrier to access is on a County maintained road, the request will be investigated by Public Works and a plan to resolve the problem will be put in place. Public Works will contact the reporting party in 10 working days from the date of the request to inform them of the plan and anticipated timelines to remove the barrier.

Public Works will report its findings, plan and timeline back to the ADA Coordinator.

1.9 PROCESSING OF BARRIER REMOVAL REQUESTS

Problem: Public Works needs procedures to handle requests for barrier removal. Request may be made by telephone, by email, by mail, or by electronic entry through the County website. See Section 3.0.

Responsibility: County.

Target Date: Within 6 months [2020].

Plan: Educate staff that all reports of accessibility barriers within the public road right of way must be reported to the Public Works Dispatcher.

Educate the Public Works Dispatcher on the proper way to respond to requests; and how to log requests into the database for tracking; how to assign work orders for barriers that can be immediately resolved within a short period of time.

Public Works Dispatcher shall notify ADA Coordinator when barrier removal requests come from sources other than the ADA Coordinator.

1.10 TIMELINE

Problem: Barriers to accessibility must be removed.

It may not be feasible to remove all barriers.

Responsibility: County.
Target Date: Started; overall completion is 20 years [2040].

Plan: Begin removing barriers based upon priorities set by the public.

Understand and communicate that funding affects the amount of work that can be accomplished in any fiscal year.

Understand that it may not be feasible to remove a barrier due to the nature of the existing built environment. In the event that a barrier cannot be completely removed, it must be removed to the greatest extent practical. Any barrier not completely removed must include documentation as the reason it is technically infeasible to remove, along with what was done to reduce the burden that the barrier creates. This documentation is to be indexed in the barrier database to make researching public requests for documentation efficient.

When capital improvement projects are undertaken, accessibility barriers within the scope of the project must be removed when feasible.

An example of a barrier that is not feasible to remove is the running slope of a cross walk on a road with an excessive tilt section. Lowering the tilt may result in the result in loss of connection to adjoining properties.

- The new lower grade may result in doorways on private property no longer being at the same elevation as the sidewalk. If there is no room to construct a ramp to connect the doorway to the sidewalk, then the entire building would need to be lowered.

- The new lower grade may result in existing driveways being disconnected from the road. Adjusting a driveway grade to meet the lowered sidewalk may result in a driveway that is too steep for vehicles to traverse. In this instance, the garage would need to be lowered.
Above: Example showing a roadway with an excessive cross slope and an adjacent building. Existing conditions are shown in blue and the retrofit to reduce the excessive cross slope in red. The result is a vertical offset at the building which makes the building inaccessible.

1.11 BARRIER DATABASE

Problem: Barriers must be inventoried, monitored, and tracked until the barriers are removed.
Responsibility: County.

Target Date: Within 6 months [2021].

Plan: Review the suitability of utilizing an existing County accessibility database to track public right of way barriers or implement a new database.

Develop a protocol to generate reports of outstanding barriers so assigned staff are periodically reminded of all open barriers, their priority and their deadlines.

Develop a protocol so that reported barriers (see Section 3.0) are identified as a high priority and considered.

1.12 MAINTENANCE

Problem: ADA compliant facilities must be maintained; otherwise they may eventually become an accessibility barrier.

Responsibility: County.

Target Date: Completed.

Plan: Road crew supervisors and staff routinely patrol County maintained roads and address problems that are found.

The Public Works Dispatcher receives requests for service from the public. Requests are entered into a database, assigned to staff and tracked until the work is completed.

Minimize the timeline to repair out of service facilities.

Provide alternative accessible routes when out of service facilities will remain out of service for extended periods of time.

1.13 TECHNICAL INFEASIBILITY

Problem: It may not be feasible to remove all barriers due to the nature of the existing built environment.

Responsibility: County.

Target Date: 1 year [2021].

Plan: Develop a policy to address the technical infeasibility of completely complying with the ADA. The policy shall be approved by the Director of Public Works, County Counsel and the ADA Coordinator and shall not be modified without their approval. The policy shall include the following elements:

- Narrowly define a technically infeasible barrier(s).
- Provide guidance that technically infeasible is to be considered a "rare occurrence" and not "commonplace." Include examples of technically infeasible barriers to provide clarity of what constitutes a technically infeasible barrier.
- Include a form to document a technically infeasible barrier.
1.14 LIST OF KNOWN BARRIERS TO ACCESS
As of March 2020, the County has compiled reports, through an independent licensed architect, that identify barriers to access connecting to County programs, services and activities in unincorporated areas of Humboldt County. These reports are individualized to the specific areas of the County and are listed below.

- Cutten
- Eureka – Unincorporated
- Fields Landing
- Garberville
- Loleta
- McKinleyville
- Miranda
- Redway
- Scotia
- Willow Creek

2.0 BARRIER CATEGORIES

2.1 BUS STOPS
Problem: Bus Stop fixtures may block the sidewalk.

Bus Stop may have excessive cross slope.

Bus Stop may be on a road with excessive centerline grade.

Bus Stop may not have a landing pad.

Responsibility: Transit Provider.

Target Date: Inventory and notify within 5 years [12/2025].

On November 4, 2019, a preliminary list of access barriers was provided to transit providers.
Retrofit within 15 years [12/2035].

Plan: County to notify transit provider of any new inventory.

Transit provider to remove bus stop fixtures that obstruct the sidewalk, or
provide sidewalk bump-out.

Transit provider to regrade road to reduce cross slope; pave bus stop in
concrete to maintain cross slope.

Transit provider to remove and/or relocate the bus stop due to excessive road
grade, excessive cross slope, or inability to provide landing.

Transit provider to provide sidewalk bump-out for landing.

Transit provider to secure an encroachment permit from the County prior to
constructing/retrofitting bus stop facilities in the County maintained right of
way.

County to develop Standard Plans for bus stops.

2.2 CROSS WALKS (MARKED AND UNMARKED)

Problem: Excessive Running Slope.

Excessive Cross Slope.

Stop limit lines in pathway for unmarked crosswalks.

Pedestrian turning space in roadway not within crosswalk lines.

Responsibility: County.

Target Date: 20 years [12/2040]; fix when roads are paved.

Plan: County to construct/reconstruct all marked and unmarked crosswalks at the
time that roads are paved. Goal is 5% maximum running slope and 2% maximum
cross slope.

Reduce running slope (reduce crown in road) as feasible. May not be able to
reduce running slope when curbs at each side of the road are not the same
elevation.

May not be able to address cross slope of walking path due to excessive
centerline grade of the road.

Relocate limit lines outside of unmarked crosswalks or provide an Engineering
Traffic Study to support to location of the limit line within the unmarked cross
walk.

Restripe crosswalks.

Develop Standard Plans for crosswalks to be used in new construction.
2.3 **CURB RAMPS**

Problem: A barrier to the street from the sidewalk due to non-compliant curb ramp or missing curb ramp.

Responsibility: County.

Target Date: In 2017, the County completed the curb ramp inventory.

In 2017, the County held public meetings in Redway, Eureka and McKinleyville to receive input on curb ramps in 2017.

In 2017, the County requested input on prioritizing locations of curb ramps to be retrofitted first.

In 2017, the County prioritized curb ramps for replacement using public input first, then by the criteria set forth in the consent decree.

Retrofit within 8 years [06/30/2028] at approximately 200 curb ramps a year.

Plan: Replace/install/retrofit curb ramps where barriers exist.

Improve plans in design.

Develop Standard Plans for curb ramps.

2.4 **DRIVEWAY APRONS**

Problem: Driveway aprons may have excessive cross slope (10+%) that impede access to County programs, services or activities.

Wings on Case "C" style driveways may have excessive running slope and the slope is not at the same grade as the road. (5% maximum when slope is not at the same grade as the road.)

Responsibility: Fronting landowner. Encroachment permits are issued for driveway aprons pursuant to County Code.

Target Date: Inventory and notify within 5 years [12/2025].

Retrofit within 20 years [12/2040].

Plan: Develop/revise Standard Plans for driveway aprons.

County to inventory and notify responsible party in writing of their obligation to replace the non-compliant driveway apron.

Responsible party to replace/retrofit/remove driveway apron with ADA compliant driveway apron.

Responsible party to secure a “no-cost” encroachment permit from the County prior to constructing/retrofitting driveway aprons.

The Board of Supervisors may wish to consider various options to help owners comply.
2.5 MAILBOXES

Problem: Mailboxes may obstruct the clear space of the sidewalk.
Mailbox posts may not be wide enough for cane detection of the mailbox protrusion.
Neighborhood box units (NBU) are not accessible from the sidewalk.

Responsibility: Fronting landowner of individual mailbox.
US Post Office, Homeowners Association, or other NBU owner for NBUs.

Target Date: Inventory and notify within 5 years [12/2025].
Retrofit within 10 years [12/2030].

Plan: County to inventory.
County to notify responsible party to replace mailbox/NBU; remove mailbox/NBU; retrofit post; and/or provide sidewalk bump-out.
No encroachment permit is needed, except for sidewalk bump-outs.
Develop Standard Plans for mailboxes (individual mailboxes and NBUs) to be used in new construction.

2.6 PARKING - MARKED PARKING STALLS, METERED PARKING AND ADA PARKING STALLS

Problem: When parking stalls are marked (either with stall lines or brackets), a certain percentage of the stalls must be accessible.
When metered parking is provided, a certain percentage of the stalls must be accessible.
Existing accessible parking may not meet current accessibility standards.

Responsibility: County.

Target Date: Inventory within 5 years [12/2025].
Retrofit within 10 years [12/2030].

Plan: County to inventory.
If angled parking is provided, verify that all angle parking is codified in County Code.

2.7 PEDESTRIAN PUSH BUTTONS AT CROSS WALKS

Problem: When provided at cross walks, pedestrian push buttons may not be compliant with ADA standards.

Responsibility: County.

Target Date: Retrofit within 2 years [12/2022].

Plan: Locations have been inventoried.
Intersections have been surveyed and are currently being designed.

Pedestrian push buttons are scheduled to be upgraded as part of the second curb ramp improvement contract.

2.8 SIDEWALKS

Problem: Sidewalks may be damaged and have a change of level that impedes access to County programs, services or activities.

Sidewalks less than 60 inches in width (excluding the curb) do not have 60” x 60” passing space located not more than 200 feet apart.

Sidewalks less than 48” in width (excluding the curb) are not wide enough.

Sidewalks may have excessive cross slope (exceeding 2%).

Sidewalks may have steps, or change of level. (Example: Mill Street in Scotia.)

Sidewalks may have a substantial drop off to adjacent surfaces.

Sidewalks contain utility vaults/lids that are not flush. Changes in level of up to 1/4 inch allowed without a beveled edge. Changes in level of up to 1/2 inch allowed with a beveled edge.

Sidewalks end without a taper to existing ground or do not have a barrier.

Sidewalks are not contiguous. There are gaps between existing sidewalk segments.

Trash and recycle cans placed on the sidewalks obstruct the path of travel on trash pickup day.

Concentrated drainage (such as from a roof drain) flows over the sidewalk instead of passing beneath the sidewalk in a parkway drain.

Responsibility: Repair of damaged sidewalks is the responsibility of the fronting landowner.

Target Date: Inventory and notify within 5 years [12/2025].

Retrofit within 20 years [12/2040].

Public outreach to begin within 2 years [12/2022].

Plan: County to inventory and notify responsible party in writing to repair pursuant to Resolution 97-31.

Responsible party to replace/retrofit/construct sidewalk with ADA compliant sidewalk. Responsible party to secure a “no-cost” encroachment permit from the County prior to constructing/retrofitting sidewalks.

County to modify Resolution 97-31 to address cross slopes and substandard widths.

Note that running grade of sidewalks may exceed 5% when it is at the same grade as the road.
See the *County Street Tree Preservation Policy* for information related to uplifted/damaged sidewalk caused by trees.

County to work with refuse hauling companies to educate residents about proper placement of trash cans.

Develop/revise Standard Plans for sidewalks.

The Board of Supervisors may wish to consider various options to help owners comply.

### 2.9 SIGNS - ROAD SIGNS

**Problem:** Road sign posts may obstruct the clear space of the sidewalk

Road signs may obstruct the clear space (not mounted high enough)

**Responsibility:** County

**Target Date:** Inventory within 5 years [12/2025].

Retrofit within 10 years [12/2030].

**Plan:** County to inventory.

### 2.10 SIGNS - COMMUNITY SIGNS

**Problem:** Neighborhood watch and other community sign posts may obstruct the clear space of the sidewalk horizontally and vertically.

**Responsibility:** Party responsible for the sign (property owner, homeowner association, etc.).

**Target Date:** Inventory within 5 years [12/2025].

Retrofit within 7 years [12/2027].

**Plan:** County to inventory.

County to notify responsible party to replace/remove/retrofit and/or provide sidewalk bump-out.

No encroachment permit is needed; except for sidewalk bump-outs.

### 2.11 UTILITY INFRASTRUCTURE

**Problem:** Utility infrastructure may obstruct the clear space of the sidewalk.

Utility infrastructure may not be wide enough for cane detection of a utility protrusion.

Down guys in sidewalk are not vertical; cane detection issue.

Utility infrastructure may not be flush with the ground; change of level issues.

Utility infrastructure may conflict with detectable warning surfaces.

**Responsibility:** Utility Owner.
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HUMBOLDT COUNTY PUBLIC WORKS

Target Date: Inventory and notify within 5 years [12/2025].
Retrofit within 15 years [12/2035].

On November 4, 2019, a preliminary list of access barriers was provided to the utility owners.

Plan: County to inventory.
County to notify responsible party to repair/retrofit/remove pursuant to Streets and Highways Code and County Code.

Responsible party to secure an encroachment permit from the County. Note some work may be covered under an annual encroachment permit.

When accessible parking is provided, verify that all accessible parking is codified in County Code.
Retrofit all existing accessible parking to meet current standards.

3.0 REPORTED BARRIERS

3.1 VEGETATION BARRIERS
Problem: Public has reported vegetation obstructing the sidewalk. Because vegetation constantly grows, vegetation requires constant maintenance by the fronting landowner.

Inattentive landowners may allow vegetation to grow or may become repeat offenders.

Responsibility: Fronting landowner.
Target Date: Retrofit within 30 days from the date reported.

Public outreach to begin within 2 years [12/2022].

Plan: Identify responsible party to address barrier.
Notify responsible party to remove barrier.
Track and log barrier.
Follow-up until barrier is removed by responsible party.
Provide public education to inform landowners of their responsibility to keep sidewalks clear of vegetation.

3.2 NON-VEGETATION BARRIERS
Problem: Consultants hired by the County have identified barriers.
Public has reported possible barriers to the County.

Responsibility: Varies
Target Date: Initially, retrofit within 10 years [12/2030].

Over time, strive to remove newly reported barriers within 1 year of the date reported.

Plan: Investigate barriers reported by public to determine if a barrier exists.

Add barriers to compliance plan inventory for tracking.

Identify responsible party to address barrier.

Notify responsible party of barrier when barrier is not the responsibility of the County.

Prioritize for completion ahead of other projects, as feasible.

4.0 PUBLIC INPUT ON THE DRAFT PLAN

<This section is reserved to insert public comments received>

// END //