

**50/50 MATCHING GRANT**

**POST-COMPLETION RESPONSIBILITIES**

**ARKANSAS DEPARTMENT OF PARKS & TOURISM  
Outdoor Recreation Grants Section**

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## INTRODUCTION

Chances are the reason you are reading this booklet is because your locality has received a 50/50 matching grant sometime in the past through the Arkansas Department of Parks and Tourism. This program has been around since 1965, and most of Arkansas's city, county, and state parks received matching grant funds to purchase land and/or develop outdoor recreation facilities. When grant funds were awarded, the legal representative(s) from your locality (mayor or county judge) signed a Contract agreeing to abide by certain rules and regulations. After the project is completed, our commitment to the requirements of the Arkansas Outdoor Recreation Matching Grant Program continues. We are jointly committed! Both the Arkansas Department of Parks and Tourism's Outdoor Recreation Grants Program and the project sponsor are committed to perpetual program compliance. This manual was developed to assist you, as a recipient of matching grant funds, with these ongoing commitments.

The Land and Water Conservation Fund (LWCF) is a federal program authorized by the LWCF Act of 1965 (Public Law 88-578). These funds are derived from the sale of federal surplus real property, the federal motor boat fuel tax, and Outer Continental Shelf mineral receipts.

The Arkansas Natural and Cultural Resources Grant and Trust Fund (NCRGTF) is a state program authorized by Act 729 of 1987. These funds are collected from a tax on the transfer of certain real estate in the State of Arkansas.

The purpose of the Matching Grant Program is to provide "outdoor" recreation. Park lands are protected by Section 6(f)(3) of the LWCF Act of 1965, as amended. The LWCF Act requires that project sponsors maintain acceptable standards of parks and recreation areas acquired and/or developed in whole or in part with LWCF or NCRGTF assistance.

All references to the Land and Water Conservation Fund (LWCF) shall also apply to projects funded through the Natural and Cultural Resources Grant and Trust Fund (NCRGTF).

The LWCF and NCRGTF Matching Grant Program is administered by the Arkansas Department of Parks and Tourism, Outdoor Recreation Grants Program. Our address and telephone number is:

**Arkansas Department of Parks and Tourism  
Outdoor Recreation Grants Program  
Number One Capitol Mall  
Little Rock, Arkansas 72201  
(501) 682-1301**

## POST-COMPLETION RESPONSIBILITIES FOR LOCAL SPONSORS

Local Project Sponsors are required, as recipients of LWCF/NCRGTF assistance, to maintain assisted sites and facilities in public outdoor recreation use following project completion.

A) Property acquired or developed with Land and Water Conservation Fund Assistance shall be operated and maintained according to the following standards.

1. All LWCF/NCRGTF assisted project sites must be operated and maintained in a manner that encourages public participation.
2. The property shall be attractive and inviting to the public. Staffing and servicing of facilities shall be adequate.
3. Sanitation and sanitary facilities shall be maintained in accordance with applicable health standards.
4. Properties, facilities, and equipment shall be maintained for proper public safety.
5. Facilities, roads, trails, and other improvements shall be kept in reasonable repair throughout their estimated lifetime to prevent undue deterioration and to encourage public use. Erosion problems shall be corrected.
6. The facility shall be kept open for public use at reasonable hours and times. Rest rooms shall be unlocked during normal park hours.
7. The LWCF/NCRGTF acknowledgment sign shall be displayed on site throughout the project life.

B) Property acquired or developed with LWCF/NCRGTF shall be available to all persons to use and enjoy. The project sponsor must comply with the following:

1. **DISCRIMINATION ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, RELIGION, OR SEX.**

Under Title VI of the 1964 Civil Rights Act property acquired or developed with LWCF assistance shall be open to entry and use by all persons regardless of race, color, or national origin, who are otherwise eligible. The code of Federal Regulations, Title 43, Part 17, effectuates the provisions of Title VI. The

prohibitions imposed by Title VI apply to park or recreation areas benefiting from Federal assistance and to any other recreation areas administered by the State agency or local agency receiving the assistance. Discrimination is also prohibited on the basis of religion or sex.

**2. DISCRIMINATION ON THE BASIS OF RESIDENCE.**

Section 6(f)(8) of the LWCF Act provides that with respect to property acquired or developed with LWCF assistance, discrimination on the basis of residence, including preferential reservation, membership or annual permit systems is prohibited except to the extent that reasonable differences in admission and other fees may be maintained on the basis of residence.

Fees charged to nonresidents cannot exceed twice that charged to residents. Where there is no charge for residents but a fee is charged to nonresidents, nonresident fees cannot exceed fees charged for residents at comparable State or local public facilities. Reservation, membership, or annual permit systems available to residents must also be available to nonresidents and the period of availability must be the same for both residents and nonresidents.

These provisions apply only to the recreation areas described in the project agreement. Nonresident fishing and hunting license fees are excluded from these requirements.

**3. DISCRIMINATION ON THE BASIS OF DISABILITIES.**

Section 504 of the Rehabilitation Act of 1973 requires that no qualified person shall, on the basis of disability, be excluded from participation in, be denied benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal financial assistance.

C) Property acquired or developed with LWCF/NCRGTF assistance must be used as outdoor recreation areas. Use of the project site may be restricted, depending on the project area and use. Project sponsors may impose reasonable limits on the type and extent of use of areas and facilities acquired or developed with fund assistance, when such a limitation is necessary for maintenance or preservation. Thus, limitations may be imposed on the numbers of persons using an area or facility or the type of users, such as "hunters only" or "hikers only". Project site limitations shall be in accordance with the applicable grant agreement and amendments. The Outdoor Recreation Grants Program Project Officer will be responsible for performing post-completion inspections for the life of the project. The items mentioned above will be addressed when these post-completion inspections are made.

## CONVERSION

Properties (parks and recreation areas) acquired or developed with LWCF/NCRGTF assistance are prohibited by Section 6(f)(3) of the LWCF Act of 1965, as amended, from conversion to other than public outdoor recreation use.

**Section 6(f)(3) of the LWCF Act states that "No property acquired or developed with assistance under this section shall, without the approval of the Secretary, U. S. Department of the Interior, be converted to other than public outdoor recreation use. The Secretary shall approve such conversion only if he/she finds it to be in accordance with the then existing Statewide Comprehensive Outdoor Recreation Plan (SCORP) and only upon such conditions as he/she deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonable equivalent usefulness and location".**

The basis for determining the area covered by Section 6(f)(3) is through the LWCF/NCRGTF Contract Agreement with the State, any attachments made a part of the Contract Agreement, and the project boundary map.

When an area acquired or developed with LWCF/NCRGTF assistance will be used for other than public outdoor recreation use, this use constitutes a conversion under Section 6(f)(3) of the LWCF Act. The restriction on the use of LWCF/NCRGTF assisted properties is a perpetual restriction which can only be removed by an Act of Congress. Conversions are remedies to otherwise un-resolvable situations, not vested rights in the program.

The Secretary, U. S. Department of the Interior, has the authority to dis-approve conversion requests and/or reject proposed property substitutions.

**CONVERSIONS GENERALLY OCCUR IN THE FOLLOWING FOUR SITUATIONS:**

1. Property interests are conveyed for non-public recreation uses.
2. Non-outdoor recreation uses (public and private) are made of the area, or a portion thereof.
3. Non-eligible indoor recreation facilities are developed within the project area.
4. Public outdoor recreation use of property acquired or developed with LWCF assistance is terminated.

Examples of conversions are construction of through-roads, construction of residential, industrial and commercial developments, water or sewer lines, community centers, gymnasiums, senior centers, offices, residences, electrical easements, private circus showings, and other uses not permitted under the LWCF Program.

**CONVERSIONS ARE NORMALLY DISCOVERED IN THE FOLLOWING MANNER:**

1. Inspections conducted by the Outdoor Recreation Grants Staff or National Park Service Staff.
2. Contact with local officials.

Activities leading to a conversion of park property, may also be discovered using the above mentioned means and the following:

1. Local news media reports.
2. Intergovernmental review process.

Examples of pre-conversion activities are public hearings, application for permits, etc.

## CONVERSION PROCESS

### WHAT IF A CONVERSION IS NECESSARY?

In the event the activity is not allowed, or does not qualify as an exception, program staff should determine if it could be removed from the park voluntarily by the project sponsor. If not, the following procedure shall be followed:

1. Program staff shall inform the project sponsor of the conversion determination, and request the following information as a prerequisite to approval:
  - a. A written description of all practical alternatives to the conversion.
  - b. A statement as of their evaluation and why they were rejected on a sound basis.
2. If a viable alternative to the conversion is available, the program sponsor must use it, either voluntarily or due to the contractual obligations as specified under the funding agreement, and section 6(f)(3) of the LWCF Act.

If the conversion is necessary, several additional prerequisites are required to be met before approval.

**To convert property that was either acquired and/or developed with LWCF/NCRGTF assistance, new property must be substituted for that being converted to other than public outdoor recreation use. To determine if the property qualified as replacement property, the program sponsor must submit the following:**

1. Two appraisals: One appraisal establishing the fair market value of the property to be converted, and the second appraisal to be of the property proposed for substitution showing the property proposed for substitution to be at least equal in fair market value to that being converted. A state-licensed appraiser must conduct the appraisal.
  - (a) Generally, this will necessitate a review of appraisals prepared in accordance with the current Uniform Appraisal Standards for Federal Land Acquisition published by the Land Acquisition Conference for both the property proposed to be converted and that recommended for substitution.

- (b) Property improvements will be excluded from all fair market value consideration for properties to be substituted. Exceptions are allowed only in those cases where property proposed for substitution contains improvements that directly enhance its outdoor recreation utility.
2. A statement that the property proposed for replacement is of **reasonably equivalent usefulness and location as that being converted**. Dependent upon the situation and the discretion of program staff, the replacement property need not provide identical recreation experiences or be located at the same site, provided it is in a reasonably equivalent location. It must, however, be administered by the same political jurisdiction as the converted property.
  3. A statement of assurance that the property proposed for substitution meets the eligibility requirements for LWCF assisted acquisition as follows:
    - (a) The project sponsor will obtain title or adequate control and tenure of the proposed substitute property to provide reasonable assurance that a conversion under Section 6(f)3 of the LWCF Act will not occur without approval.
    - (b) The land was not originally acquired by the seller for recreation, if seller is a public agency.
    - (c) The land has not been managed for recreational purposes while in public ownership.
    - (d) Federal assistance was not provided in the original acquisition by the other agency to facilitate the basic project being funded by LWCF assistance, unless the Federal assistance was allowed by the Act. (See Manual Section 670.1.5)
    - (e) The selling agency is required, by law, to receive payment for land transferred to another public agency. (Example-Public school land that can be used for non-school purposes only through payment to the school agency, or excess State prison lands that can be transferred to local government use only on a purchase basis.)
    - (f) The requirement of appraisal, history of conveyances, and evidence of title are the same as normal purchases.
    - (g) If the selling agency is Federal, fair market value is paid.

4. A statement that the project sponsor is aware of and complies with the requirements of P. L. 91-646 Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.
5. A complete environmental assessment for the substitute property.

**NOTE: Replacement property must constitute or be part of a viable recreation area.**

If the Outdoor Recreation Grants Staff concurs with the proposal, regarding LWCF assisted properties, it will be sent to the National Park Service for final review and approval. The Outdoor Recreation Grant Staff will conduct a final approval of NCRGTF assisted projects. If the State does not concur with the proposal, the project sponsor must submit a new proposal for the replacement property until the conversion is resolved.

**NOTE: Repayment of the LWCF/NCRGTF grant monies is not an option in resolving a conversion.**

## CONSTRUCTION ON PARK SITE?

### WHAT DO YOU DO IF FURTHER DEVELOPMENT IS CONSIDERED AT A PARK SITE?

When additional development on LWCF/NCRGTF assisted park property is necessary, the local sponsor should contact the Outdoor Recreation Grants Project Officer.

When the Project Officer has been contacted, a meeting will be held with the local sponsor to determine if the activity is allowable, or exempt from the Section 6(f)(3) requirements of the LWCF Act. According to LWCF Manual Section 675.9 (3) A. (5), exceptions to a conversion may be allowed for the following:

- (a) **Underground utility easements** that do not have significant impacts upon the recreational utility of the park will not constitute a conversion.
- (b) **Proposals to construct public facilities** where it can be shown there is a gain or increased benefit to public outdoor recreational opportunity, will not constitute a conversion. Final review and approval of such cases shall be made on a case by case basis.

**If it is determined that either (a) or (b) is applicable, the project sponsor must request, in writing, permission to continue the activity based on their ability to meet the following requirements:**

#### **For underground utility easements:**

1. Provide a written justification for granting the easement.
2. Provide a written description of the possible impacts on the park and their effect on the outdoor recreation experiences in the park, both positive and negative.
3. Provide a detailed site plan of the park showing the location of the easement, the current development in the park, and the planned future development in the park.
4. Provide a statement of assurance that public rights or interests will be granted in the property by project sponsor.

5. Provide a statement of assurance that the intended present and future use of the project will not be impaired, and the property will be restored to its prior condition.

**For construction of public facilities:**

1. Provide complete detailed plans for the proposed development, including:
  - (a) A description of the proposal, including purpose of facility, potential users, types of facilities, and activities proposed (arts and crafts, reading areas, kitchen, gymnasium, and multipurpose room).
  - (b) Provide maps and/or drawings depicting the existing recreation facilities with respect to the purposed public facility including additional support necessitated by any new construction (parking areas, road access). Photographs are useful in depicting the area.
  - (c) Description of the proposed facility's size and design.
2. A site plan to scale showing the park property improvements to the property, and the proposed development.
3. A description of how the proposed facility will increase public outdoor recreation use (positive net impact). A narrative must be included which describes how existing recreation opportunities will be enhanced or augmented by construction of the public facility.
4. A statement describing the proposed construction schedule, and any foreseeable interruptions in usage of the park.
5. A statement outlining public support of and involvement in the planning of the project.
6. An analysis of the impact on existing outdoor recreation facilities and its integration into the recreation purpose of the surrounding property. Will any existing recreation facilities be destroyed or relocated either on or off the site? Is the existing facility being used to capacity? Will the facility be constructed on the only area of its type in the community?

7. A complete **Environmental Assessment** using the information that follows:

An assessment of the effect the project will have on the immediate and surrounding environment must be done. The environmental assessment should be a reporting of the effect this project will have on the environment.

The **Environmental Assessment** should cover the three points listed below in sufficient detail to resolve the test of "major" and "significant". Prepare your assessment in the format shown below, with headings and subheadings and not in a flowing narrative style.

- a. **The Proposed Action.** Include a description of the proposed action, a statement regarding the need for it, a description of what the action is designed to accomplish, location of the project, its scope, the level of impact-causing activities associated with the project, when the action is to take place, and, if applicable, its relation to the Federal, State, or local projects and proposals.
- b. **Alternative to the proposed action.** This section will include a brief description of alternatives as required by National Environmental Protection Act Section 102 (2)(E).

The environmental impacts of the proposal and the alternatives should be presented in comparative form and should define the issues, pros and cons of a reasonable range of alternatives, and provide a clear basis for choice between them by program staff and the public.

- c. **Environmental impacts of proposed action.** Succinctly describe those environmental elements that would be affected. Discuss anticipated impacts on the following elements and any means to mitigate adverse environmental impacts:
  - Land use (project site and surrounding area)
  - Fish and wildlife
  - Geology and soils
  - Mineral resources
  - Air and water quality
  - Water resources/hydrology
  - Historic/archeological resources
  - Transportation/access
  - Consumption of energy resources
  - Socio-economic effects

- Discuss any existing easements, right-of-ways, etc., and their effect on the proposed site

**"Impacts"** are defined as causing direct or indirect changes in the existing environment, whether beneficial or adverse that are anticipated as a result of the proposed action or related future actions. To the extent appropriate, the document will discuss impacts of the action, including environmental damage that could be caused by users, upon the physical and biological environment as well as upon cultural, aesthetic, and socio-economic conditions.

Elements of impacts that are unknown or only partially understood should be indicated. Any off-site impacts, such as increased traffic on neighborhood roads or increased noise levels in surrounding areas, should be described.

d. **A listing of agencies and persons consulted.**

8. A statement of assurance that no rights or interest in the property will be granted in the property by the project sponsor.
9. A statement of assurance that the intended present and future use of the project will not be impaired.
10. A statement of assurance that the property will be restored to its original condition after construction is completed.

The Arkansas Department of Parks and Tourism, Outdoor Recreation Grants Program stands ready to assist local governments with their outdoor recreation needs. It is the intent of the LWCF/NCRGTF to provide the means for you and future generations to enjoy outdoor recreation opportunities in your community. Remember the requirements of the contractual obligation in the agreements with the State and National Park Service when considering changes in your LWCF/NCRGTF assisted facilities.

## **APPENDIX I**

## LOCAL SPONSOR RESPONSIBILITY CHECKLIST

1. Are facilities open at reasonable hours and times of day?  
Are facilities open at reasonable times of the year?
2. Are all facilities open to the public?
3. Is a differential fee system in use?
4. Is there any evidence of discrimination?
5. Are there any un-approved overhead utility lines?
6. Are all facilities accessible to the disabled?
7. Is vandalism a serious problem?
8. Are there any health, safety, or liability concerns?
9. Is there any conflict with adjacent areas?
10. Is the upkeep and repair of facilities adequate?
11. Is the staffing and servicing of facilities adequate?
12. Are any directional, use, or safety signs needed?
13. Is the LWCF or NCRGTF acknowledgment sign posted?
14. Is the quality of the area being maintained?
15. Is the property attractive and inviting to the public?

**Periodic inspection of your facilities by State and Federal officials will be made concerning the above items:**

## APPENDIX II

### CHECKLIST OF REQUIREMENTS FOR CHANGES TO PROJECT AREA

Exemptions from Section 6(f)3 requirements.

#### **A.) Utility Easements**

1. Provide a written justification for the easement.
2. Provide a written description of the possible impacts on the park.
3. Provide a detailed site plan, to scale or with all facility dimensions marked in feet and inches.

#### **B.) Public Facility Proposals**

1. Provide detailed plans for the proposed development.
2. Provide a detailed site plan, to scale or with all facility dimensions marked in feet and inches.
3. Provide a description of how the proposed facility will increase public recreation use.
4. Provide the proposed construction schedule.
5. Provide a statement outlining public support.
6. Provide an analysis of the impact on existing outdoor recreation facilities.
7. Provide a complete environmental assessment.
8. Provide a statement of assurance that no rights or special interests in the property will be granted by the project sponsor.
9. Provide a statement of assurance that the intended present and future use of the project will not be impaired.
10. Provide a statement of assurance that the property will be restored to its original condition after construction is completed.

## **APPENDIX III**

### **CHECKLIST OF REQUIRED DOCUMENTATION FOR CONVERSIONS**

#### Conversion Proposal

##### **1. Prerequisite Documentation**

- a) Provide a written description of all practical alternatives to the conversion.
- b) Provide a statement of the evaluation of the alternatives and why they were rejected.

##### **2. Substitute Proper Documentation**

- a) Provide appraisals of the fair market value of both parcels of land. A state-licensed appraiser must complete these appraisals.
- b) Provide a statement of reasonably equivalent usefulness and location.
- c) Provide a statement of assurance that the property meets the eligibility requirements.
- d) Provide a statement that the project sponsor complies with the requirements of P.L. 91-646 Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

##### **3. Proposal Information**

- a) Provide a detailed site plan (or development plan) for the substitute property.
- b) Provide a narrative on the proposed development of the substitute property.
- c) Provide a plat of the substitute property.

# BARRIER FREE COMPLIANCE CHECKLIST FOR LWCF and NCRGTF PROJECTS

\_\_\_\_\_ LWCF Project Number

\_\_\_\_\_ Applicant

\_\_\_\_\_ Date of Inspection

## Section 1: Walks/Access Routes

At least one accessible route or walkway shall connect accessible buildings, facilities, and elements that are on the same site including accessible parking spaces, loading zones, accessible public streets, and sidewalks.

\_\_\_\_\_ **1.1** Accessible walks shall be at least 3 feet wide and shall have a gradient of 5% (1:20) or less.

\_\_\_\_\_ **1.2** Accessible walks shall have a continuous common surface, not interrupted by steps or abrupt changes in level, greater than 1/2 inch.

\_\_\_\_\_ **1.3** Wherever accessible walks cross other walks, driveways, or parking lots, they shall blend to a common level.

\_\_\_\_\_ **1.4** Accessible walks terminating at doors shall have a level platform 5 ft. by 5 ft. extending at least 1 ft. 6 in. on the opening side of door.

\_\_\_\_\_ **1.5** The surface texture along accessible walkways shall be stable, firm, and relatively nonslip under all weather conditions. Materials as loose stone, cobblestone, with unfilled joints, and finely graded clay covering on an unsurfaced area shall not be used.

\_\_\_\_\_ **1.6** Accessible walkways with a running slope greater than 5% (1:20) is a ramp and shall comply with **Section 4: Ramps**.

\_\_\_\_\_ **1.7** Accessible walks, including trails, shall have a minimum of 6 ft. 8 in. clear headroom.

## **Section 2: Parking and Passenger Loading Zones**

          **2.1** Location--Parking spaces for disabled persons and accessible passenger loading zones that serve a particular building or facility shall be located on the shortest possible accessible circulation route to an accessible entrance of building or facility including picnic shelters/areas, swimming pools, athletic areas, and game courts. In separate parking lots that do not serve a particular building or facility, parking spaces for disabled persons shall be located on the shortest possible circulation route to an accessible pedestrian entrance. The distance from the accessible parking spaces to the principal entrance of the building or facility shall be no greater than 150 feet.

          **2.2** The minimum number of accessible parking spaces shall be one (1) space per 25 spaces, or a portion thereof.

          **2.3** Accessible parking spaces shall be designated as reserved for the disabled by a sign showing the international symbol of accessibility. Each space shall be marked with a vertical signpost; in addition, a symbol painted on the pavement is allowed. Such signs shall not be obscured by a vehicle parked in the space.

          **2.4** Accessible parking spaces shall be a minimum of 8 ft. wide with an adjacent access aisle 5 ft. wide for autos and 8 ft. wide for vans. Two accessible parking spaces may share a common access aisle.

          **2.5** Passenger loading zones shall provide an access aisle at least 4 ft. wide and 20 ft. (4' x 20') long adjacent and parallel to the vehicle pull-up space. If there are curbs between access aisle and the vehicle pull-up space, then an accessible curb ramp is required.

          **2.6** The surface of accessible parking spaces shall be stable, firm, and relatively nonslip under all weather conditions

## **Section 3: Curb Ramps**

          **3.1** Location--Curb ramps shall be provided wherever an accessible route or walkway crosses a curb.

          **3.2** Slopes of curb ramps shall comply with **Section 4.1**.

**3.3**        The minimum width of curb ramps shall be 3 feet, exclusive of flared sides.

          **3.4**        Surfaces of curb ramps shall be stable, firm, and relatively nonslip under all weather conditions.

          **3.5**        Sides of curb ramps. If a curb ramp is located where pedestrians must walk across the ramp, then it shall have flared sides; the maximum slope of the flare shall be 10 %. Curb ramps with returned curbs may be used where pedestrians would not normally walk across the ramp.

          **3.6**        A curb ramp shall have a tactile warning texture such as exposed aggregate concrete.

#### **Section 4:        Ramps**

Any part of an accessible route or walkway with a slope greater than 1:20 (5%) shall be considered a ramp and comply with all requirements therein.

          **4.1**        The maximum slope of a ramp shall be 1:12 (8.33%). The maximum rise of any uninterrupted ramp run shall be 30 inches.

<p><b><u>NOTE:    If practical, a slope of 1:16 (6.24%) maximum rise, is recommended for facilities serving the elderly, double amputees, and disabled persons with weak arm muscles.</u></b></p>
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          **4.2**        The minimum clear width of a ramp shall be 4 ft.

          **4.3**        Ramps shall have level landings at the bottom and top of each run. The landing shall be at least as wide as the widest ramp leading to it; with a length of at least 5 feet clear. If the ramp changes direction at landings, the minimum in landing size shall be 5 ft. by 5 ft. If a doorway is located at a landing, then the area in front of the doorway shall comply with **Section 1.4 Walks/Access Routes**.

          **4.4**        Handrails--If ramp slope is greater than 1:20 (5%) up to and including 1:12 (8.33%) and there is no drop off, then one side shall have a handrail. Where ramps drop off on one or both sides, both sides should have handrails. A handrail is not required on slopes of 1:20 (5%) or less, when there is no drop off.

\_\_\_\_\_4.5 The cross slope of ramp surfaces shall be no greater than 1:50 (2%).

\_\_\_\_\_4.6 The ramp surface shall comply with **Section 1.5**.

## **Section 5: Entrances**

At least one principal entrance to a building or facility shall be part of an accessible route or walkway and shall comply with **Section 1: Walks/Access Routes**. Entrances shall be connected by an accessible route to accessible spaces or elements within the building or facility.

\_\_\_\_\_5.1 Doorways shall have a minimum clear opening of 32 inches with the door open at a 90-degree angle, measured between the face of the door and the stop.

\_\_\_\_\_5.2 Stairs--Staircases that are going to be used by semi-ambulant persons or elderly persons shall be designed so that they are usable with a minimum of energy expenditure.

\_\_\_\_\_5.2.1 Treads and Risers--On any given flight of stairs, all steps shall have uniform riser heights and uniform tread widths. Stair treads shall be no less than 11 inches wide, measured from riser to riser.

\_\_\_\_\_5.2.2 Nosings--The undersides of nosings shall not be abrupt. The radius of curvature at the leading edge of the tread shall be no greater than 1/2 inch. Risers shall be sloped or the underside of the nosing shall have an angle not less than 60 degrees from the horizontal. Nosings shall project no more than 1 1/2 inches.

\_\_\_\_\_5.2.3 Handrails--Stairways shall have handrails at both sides of stairs.

## **Section 6: Drinking Fountains and Water Coolers**

If fountains or coolers are provided, at least one shall comply with requirements below and shall be along an accessible route.

\_\_\_\_\_6.1.1 Spout Height--Spouts shall be no higher than 3 feet, measured from the floor or ground surfaces to the spout outlet.

**\_\_\_\_\_6.1.2** Spout Location--The spouts of drinking fountains and water coolers shall be at the front of the unit and shall direct the water flow in a trajectory that is parallel or nearly parallel to the front of the unit. The spout shall provide a flow of water at least 4 inches high so as to allow the insertion of a cup or glass under the flow of water.

**\_\_\_\_\_6.1.3** Controls and operating mechanisms shall be operable with one hand and shall not require tight grasping, pinching, or twist of the wrist. The force required to activate controls shall be no greater than 5 lbs.

**\_\_\_\_\_6.1.4** Clearances:

1. Wall and post-mounted cantilever units shall have a clear knee space between the bottom of the apron and the floor or ground at least 27 in. high, 30 in. wide, and 17 to 19 in. deep. Such units shall also have a minimum clear floor ground space of 30 to 48 in. to allow a person in a wheelchair to approach the unit facing forward.
2. Free standing or built-in units not having a clear space under them shall have a clear floor or ground space at least 30 in. to 48 in. to allow a person in a wheelchair to make a parallel approach to the unit.

## **Section 7: Toilet Rooms**

At least one (1) stall shall be accessible along or at the end of an accessible route, walkway, hallway, corridor, or pathway. The stall shall be at least 3 ft. wide and 5 ft. deep. If a door is used, it shall have 32 in. wide clearance swings out. Grab bar shall be mounted on each side, 33 in. high and 42 in. long, parallel to the floor, 1 1/2 in. outside diameter, with 1-1/2 in. clearance between the rail and wall and fastened securely at ends and center.

**\_\_\_\_\_7.1** Water Closets--The height of water closets shall be 17 in. to 19 in., measured from the floor to the top of the toilet seat.

**\_\_\_\_\_7.2** Urinals--At least one (1) urinal shall be wall-hung with an elongated rim at a maximum of 17 in. above the floor. A clear floor space 30 in. to 48 in. shall be provided in front of urinals to allow forward approach.

**\_\_\_\_\_7.3** Lavatories--At least one (1) lavatory shall be mounted with a clearance of at least 29 in. from the floor to the bottom of the apron and a maximum rim height of 34 in.

**7.4** Exposed pipes and surfaces--Hot water and drainpipes under lavatories shall be insulated or otherwise protected. There shall be no sharp or abrasive surfaces under lavatories.

      **7.5** Mirrors--At least one (1) mirror shall be mounted with the bottom edge no higher than 40 in. from the floor.

## **Section 8: Public Telephones**

If public telephones are provided, then they shall comply with the following:

1. A clear or ground space at least 30 in. by 48 in. that allow either a forward or parallel approach by a person using a wheelchair. Bases, enclosures, and fixed seats shall not impede approaches.
2. The highest operable part of the phone shall be no higher than 48 in. Diagonally mounted telephones (in a corner) shall be no higher than 54 in.
3. The cord length from the telephone to the hand set shall be at least 29 in. long.

## **Section 9: Signs**

All signs that provide emergency information, or general directions, or identifies rooms and spaces shall comply as follows.

1. Letters and numbers on signs shall have a width-to-height ratio between 3:5 and 1:1 and a stroke-width-to-height ratio between 1:5 and 1:10.
2. Characters and symbols shall contrast with their background--either light characters on a dark background or dark characters on a light background.
3. Letters and numbers on signs shall be raised or incised 1/32 in. minimum. Raised characters or symbols shall be at least 5/8 in. high, but no higher than 2 in. Indented characters or symbols shall have a stroke width of at least 1/4 in. Symbols or pictographs on signs shall be raised or indented 1/2 in. minimum.
4. The International Symbol of Accessibility shall be used to identify accessible facilities.

## **Section 10: Outdoor Facilities**

          **10.1** Park Benches--Accessible benches shall have a back rest and arm supports to give added body support to individuals affected by muscle weakness or spasms.

          **10.1.2** Accessible benches shall be a maximum of 14 in. to 16 in. deep with the back 18 in. high and arm rest 8 in. from the seat. The seat surface shall be from 15 in. to 17 in. from the ground, including a space beside benches for wheelchairs and strollers, 30 in.

          **10.2** Lighting--If the facilities are to be used during night hours, accessible loading zones and parking spaces shall be adequately lighted.

          **10.3** Picnic Tables--Accessible tables should be located on level sites adjacent to or connected to accessible walkways, or accessible route; and have the following features:

1. A clear space between the ground and bottom edge of the table of 29 in.
2. One end of the table shall have an extension 19 to 25 in.
3. There should be a minimum 3 ft clearance around the table. (4 ft. preferably).
4. Tables and seating should be placed on level, firm surface pads. Connections between pads and pathways shall comply with **Section 1: Walks/Access Routes**.

          **10.4** Grills--At least one rotating unit shall be 30 to 36 in. high, with a horizontal reach, from a wheelchair, of 15 in. Handles should not conduct heat and be easy to grasp. There should be a minimum 3 ft. firm surfaced clearance around the grill and be placed on level, firm surface pads. Connections between pads and pathways shall comply with **Section 1: Walks/Access Routes**.

          **10.5** Water Faucets--At least one faucet shall be 36 in. to 42 in. high.

          **10.6** Picnic Shelters--At least one picnic shelter shall be accessible with accessible tables, seating, and grills. Connections between pavilion and pathways shall comply with **Section 1: Walks/Access Routes**.

## 10.7 Swimming Facilities

### 10.7.1 Pools--Accessibility to pools can be provided in the following manner.

1. At various locations, the pool coping can be raised above the pool deck 1' 7" and fitted with grab bars to aid disabled persons to sit and then swing their legs over the side into the water. The water level should be high, 3 to 4 inches from the top of the coping, to aid in a safe return out of water.
2. The coping can be level with the pool's water height and deck, with just enough slope to allow for drainage of water splashed on the deck.
3. The installation of a ramp with handrails, and a set of stairs with handrails, both located at the shallow end of the pool.
  - a) Width of ramp minimum of 36 inches.
  - b) Handrails between 30 minimum to 36 inches maximum height.
  - c) Slope of ramp should be at least 1:12 (8.33%).
4. Hydraulic lift pads and movable floors are other alternatives.

### 10.7.2 Lakes/Beaches--Generally, lake or beach swimming is not

recommended for disabled persons, because of the lack of control over water depth, temperature, supervision and sanitation control. However, if a designer wishes to make a lake accessible, the following items should be considered:

1. The slope of the beach into the water should be no more than 10 percent.
2. An access walk leading to and along the water's edge is necessary. (See **Section 1: Walks/Access Routes** and **Section 4: Ramps**)
3. A ramp with handrails along one side extending into the water to a depth of 36 inches should be provided.
4. Entire swimming area should be well marked with floating markers or signals.

## **Section 11: Fishing Piers**

This type of facility can serve as a meaningful therapeutic tool for disabled persons if the following standards are met.

1. Access walk to the pier from the shore must comply with **Section 1: Walks/Access Routes**.
2. Fishing platforms must be a minimum of 8 feet wide to provide an adequate room for circulation and tackle storage.
3. Handrails must be provided around the entire pier. Hand rails must be 36 inches high and have a 30 degree angle sloping top for arm and pole rest.
4. A shelf for bait and tackle must be provided at a height of no more than 30 inches from the floor of the pier. The shelf should extend 2 feet beyond handrails.
5. A kick plate must be provided to prevent foot pedals of wheelchairs from going off the pier.
6. A smooth non-slip surface must be provided on the access walk and the pier. Boards used for the surface area must be laid no more than 1/2 inch apart.