

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA ADOPTING THE AMERICANS WITH DISABILITIES ACT STANDARDS FOR ACCESSIBLE DESIGN AND THE GUIDELINES FOR PEDESTRIAN FACILITIES IN THE PUBLIC RIGHT-OF-WAY**

**WHEREAS,** the Federal government enacted the Americans with Disabilities Act of 1990 (ADA) to prevent discrimination of citizens with a physical and/or mental disability relating to employment and access to public facilities; and

**WHEREAS,** Title II of the ADA requires that municipalities adopt standards for accessible design that provide accessibility through proposed modifications to remove accessibility barriers; and

**WHEREAS,** Title II of the ADA recommends that municipalities adopt the Americans with Disabilities Guidelines for Pedestrian Facilities in the Public Right-of-Way; and

**WHEREAS,** in 2010, the United States Department of Justice adopted the 2010 ADA Standards for Accessible Design, known as the 2010 Standards, which includes the Title II regulations at 28 CFR 35.151 and the 2004 Americans with Disabilities Act Accessibility Guidelines (ADAAG) at 36 CFR part 1191, appendices B and D; and

**WHEREAS,** in 2011, the United States Department of Justice proposed, but has not yet adopted or finally approved, the Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way; and

**WHEREAS,** Delaware County, Indiana remains committed to the ADA and the elimination of barriers to public facilities.


**NOW, THEREFORE, BE IT RESOLVED** by the Delaware County Board of Commissioners, as follows:

**Section 1.** That the Board of Commissioners hereby adopts the 2010 Americans with Disabilities Act Standards for Accessible Design.

**Section 2.** That the Board of Commissioners hereby adopts the 2011 Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way, effective upon their final approval by the US Department of Justice.

**Section 3.** That this Resolution shall be in full force and effect from and after its passage on this 16 day of April, 2012.

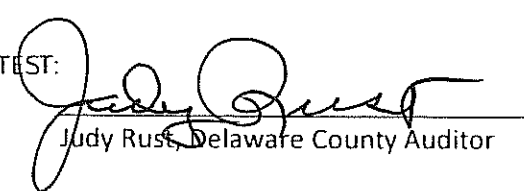
**BOARD OF COMMISSIONERS  
DELAWARE COUNTY, INDIANA**

  
Todd Donati, President

  
Larry Bledsoe

  
Don Dunnuck

ATTEST:

  
Judy Rust, Delaware County Auditor