

Disability Rights of West Virginia (DRWV) is the federally mandated protection and advocacy system for people with disabilities in West Virginia. One of DRWV’s grants is PAVA - Protection and Advocacy for Voting Access. The PAVA program allows DRWV to ensure that individuals with disabilities can access full participation in the election process.

Title II of the American with Disabilities Act (ADA) requires state and local governments (public entities) to ensure that people with disabilities have a full and equal opportunity to vote. The ADA’s provisions apply to all aspects of voting, including polling places. People with disabilities must have the opportunity to be full participants in an integrated civic event.

On August 23, 2018, DRWV completed exterior accessibility monitoring of all 11 polling sites in Pendleton County. The exteriors of 4 of these sites are easily made temporarily accessible on Election Day by modifying the polling site entrance or route, designating accessible parking, and/or hanging appropriate signage. There are 3 other sites that would require more extensive modifications to be made accessible and moving these precincts to a different location may be the easier option:

- **Schmucker School House**
- **Thorn Creek Youth Center**
- **Sugar Grove Rescue Squad**

The tables on the following pages list the ADA standards, if applicable, for each area we monitored, the issues noted at each site, if any, and suggestions for meeting ADA compliance on election days.

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Clinton Hedrick Community Building: 1 issue. Per Clerk, voters enter main, front doors.	
Issue	No designated parking. There are no parking spaces designated for accessibility.
2010 ADA Standards for Accessible Design Requirements	<p>502.1 Car and van parking spaces shall comply with 502. Where parking spaces are marked with lines, width measurements of parking spaces and access aisles shall be made from the centerline of the markings.</p> <p>EXCEPTION: Where parking spaces or access aisles are not adjacent to another parking space or access aisle, measurements shall be permitted to include the full width of the line defining the parking space or access aisle.</p> <p>502.2 Vehicle Spaces. Car parking spaces shall be 96 inches (2440 mm) wide minimum and van parking spaces shall be 132 inches (3350 mm) wide minimum, shall be marked to define the width, and shall have an adjacent access aisle complying with 502.3.</p> <p>EXCEPTION: Van parking spaces shall be permitted to be 96 inches (2440 mm) wide minimum where the access aisle is 96 inches (2440 mm) wide minimum.</p> <p>If more than 25 parking spaces are provided to voters, see 208.2 for the number of accessible parking spaces required.</p>
Suggestions for ADA Compliance	Use accessible signage to designate a parking space on Election Day. If only one space is designated, it must be a van accessible space with aisle.

Harold Miller (South Fork) Ruritan Building: 1 issue. Per Clerk, voters enter main, front doors.	
Issue 1	Door hardware is inaccessible. Front door is inaccessible due to knob handle that requires twisting of the wrist.
2010 ADA Standards for Accessible Design Requirements	309.4 Operable parts shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate operable parts shall be 5 pounds (22.2 N) maximum. 404.2.7 Handles, pulls, latches, locks, and other operable parts on doors and gates shall comply with 309.4. Operable parts of such hardware shall be 34 inches (865 mm) minimum and 48 inches (1220 mm) maximum above the finish floor or ground. Where sliding doors are in the fully open position, operating hardware shall be exposed and usable from both sides.
Suggestions for ADA Compliance	Have the door propped open during voting; use a temporary doorbell or ballot call alert system; use a doorknob gripper with levers; or have poll worker stationed at the door.

North Fork Elementary: No exterior issues. Per Clerk, voters enter main, front doors.

Pendleton County Courthouse: No exterior issues. Per Clerk, voters enter door on the left side of the building.

Pendleton County High School: 3 issues. Per Clerk, voters enter doors H of the Commons building.

Issue 1	<p>Accessible parking is not on the shortest route to voter entry. There are designated parking spaces near the main entrance of this school; however, voters enter towards the right end of the building.</p>
2010 ADA Standards for Accessible Design Requirements	<p>208.3.1 Parking spaces complying with 502 that serve a particular building or facility shall be located on the shortest accessible route from parking to an entrance complying with 206.4.</p>
Suggestions for ADA Compliance	<p>There are spaces close to the Commons building where accessible spaces could be designated.</p>
Issue 2	<p>Entrance doors K & L must be kept opened during voter hours. The only accessible entrance to the area where voting occurs are doors K & L.</p>
Americans with Disabilities Act Title II Regulations	<p>28 C.F.R. §35.130, §35.133 No qualified individual with a disability shall, on the basis of a disability, 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.</p> <p>A public entity shall maintain in operable working condition those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities by the Act or this part.</p>
Suggestions for ADA Compliance	<p>On Election Day these doors must be kept open during voting hours.</p>

Issue 3	Directional signs needed to accessible entrance. There is a building that separates the main voter entry, doors H, and the accessible entries, doors K and L.
2010 ADA Standards for Accessible Design Requirements	216.6 Where not all entrances comply with 404, entrances complying with 404 shall be identified by the International Symbol of Accessibility complying with 703.7.2.1. Directional signs complying with 703.5 that indicate the location of the nearest entrance complying with 404 shall be provided at entrances that do not comply with 404.
Suggestions for ADA Compliance	Voting accessibility signs pointing towards the accessible entrance are needed at the main voter doors and on the building that separates doors H and doors K and L.

Schmucker School House: 5 issues. Not Accessible. Per Clerk, voters enter the door at the back of the building.

Issue 1	<p>No designated parking. There are no parking spaces designated for accessibility.</p>
<p>2010 ADA Standards for Accessible Design Requirements</p>	<p>502.1 Car and van parking spaces shall comply with 502. Where parking spaces are marked with lines, width measurements of parking spaces and access aisles shall be made from the centerline of the markings.</p> <p>EXCEPTION: Where parking spaces or access aisles are not adjacent to another parking space or access aisle, measurements shall be permitted to include the full width of the line defining the parking space or access aisle.</p> <p>502.2 Vehicle Spaces. Car parking spaces shall be 96 inches (2440 mm) wide minimum and van parking spaces shall be 132 inches (3350 mm) wide minimum, shall be marked to define the width, and shall have an adjacent access aisle complying with 502.3.</p> <p>EXCEPTION: Van parking spaces shall be permitted to be 96 inches (2440 mm) wide minimum where the access aisle is 96 inches (2440 mm) wide minimum.</p> <p>If more than 25 parking spaces are provided to voters, see 208.2 for the number of accessible parking spaces required.</p>
<p>Suggestions for ADA Compliance</p>	<p>Use accessible signage to designate a parking space on Election Day. If only one space is designated, it must be a van accessible space with aisle.</p>
Issue 2	<p>Parking is on an unstable surface. Parking area is uneven gravel and grass.</p>

<p>2010 ADA Standards for Accessible Design Requirements</p>	<p>302.1 Floor and ground surfaces shall be stable, firm, and slip resistant and shall comply with 302.</p> <p>502.4 Parking spaces and access aisles serving them shall comply with 302. Access aisles shall be at the same level as the parking spaces they serve. Changes in level are not permitted.</p>
<p>Suggestions for ADA Compliance</p>	<p>A core-gravel system, pavers, or other material ½” thick or less could be used to create a stable surface from route to entrance.</p>
<p>Issue 3</p>	<p>Route to voter entry is unstable. The route is made of grass.</p>
<p>2010 ADA Standards for Accessible Design Requirements</p>	<p>302.1 Floor and ground surfaces shall be stable, firm, and slip resistant and shall comply with 302.</p>
<p>Suggestions for ADA Compliance</p>	<p>A core-gravel system, pavers, or other material ½” thick or less could be used to create a stable surface from route to entrance.</p>

<p>Issue 4</p>	<p>Clear width of doorway is too narrow. The voter door at the back of the building has a width of only 30”.</p>
<p>2010 ADA Standards for Accessible Design Requirements</p>	<p>404.2.3 Clear Width. Door openings shall provide a clear width of 32 inches (815 mm) minimum. Clear openings of doorways with swinging doors shall be measured between the face of the door and the stop, with the door open 90 degrees. Openings more than 24 inches (610 mm) deep shall provide a clear opening of 36 inches (915 mm) minimum. There shall be no projections into the required clear opening width lower than 34 inches (865 mm) above the finish floor or ground. Projections into the clear opening width between 34 inches (865 mm) and 80 inches (2030 mm) above the finish floor or ground shall not exceed 4 inches (100 mm).</p>
<p>Suggestions for ADA Compliance</p>	<p>A new door will need to be installed that provides a clear width of at least 32”.</p>

Issue 5	Door hardware is inaccessible. Door is inaccessible due to knob handle that requires twisting of the wrist.
2010 ADA Standards for Accessible Design Requirements	309.4 Operable parts shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate operable parts shall be 5 pounds (22.2 N) maximum. 404.2.7 Handles, pulls, latches, locks, and other operable parts on doors and gates shall comply with 309.4. Operable parts of such hardware shall be 34 inches (865 mm) minimum and 48 inches (1220 mm) maximum above the finish floor or ground. Where sliding doors are in the fully open position, operating hardware shall be exposed and usable from both sides.
Suggestions for ADA Compliance	Have the door propped open during voting; use a temporary doorbell or ballot call alert system; use a doorknob gripper with levers; or have poll worker stationed at the door.

Seneca Rocks Fire House: No exterior issues. Per Clerk, voters enter the standard-sized door at the front of the building.

South Fork Fire House: No exterior issues. Per Clerk, voters enter doors on the back-left side of the building.

Sugar Grove (South Fork) Rescue Squad: 4 issues. Per Clerk, voters enter the standard-sized door at the front-right of the building.

Issue 1	<p>No designated parking. There are no parking spaces designated for accessibility.</p>
<p>2010 ADA Standards for Accessible Design Requirements</p>	<p>502.1 Car and van parking spaces shall comply with 502. Where parking spaces are marked with lines, width measurements of parking spaces and access aisles shall be made from the centerline of the markings.</p> <p>EXCEPTION: Where parking spaces or access aisles are not adjacent to another parking space or access aisle, measurements shall be permitted to include the full width of the line defining the parking space or access aisle.</p> <p>502.2 Vehicle Spaces. Car parking spaces shall be 96 inches (2440 mm) wide minimum and van parking spaces shall be 132 inches (3350 mm) wide minimum, shall be marked to define the width, and shall have an adjacent access aisle complying with 502.3.</p> <p>EXCEPTION: Van parking spaces shall be permitted to be 96 inches (2440 mm) wide minimum where the access aisle is 96 inches (2440 mm) wide minimum.</p> <p>If more than 25 parking spaces are provided to voters, see 208.2 for the number of accessible parking spaces required.</p>
<p>Suggestions for ADA Compliance</p>	<p>Use accessible signage to designate a parking space on Election Day. If only one space is designated, it must be a van accessible space with aisle.</p>

Issue 2	Parking is on an unstable surface. Parking area is uneven gravel.
2010 ADA Standards for Accessible Design Requirements	302.1 Floor and ground surfaces shall be stable, firm, and slip resistant and shall comply with 302. 502.4 Parking spaces and access aisles serving them shall comply with 302. Access aisles shall be at the same level as the parking spaces they serve. Changes in level are not permitted.
Suggestions for ADA Compliance	A core-gravel system, pavers, or other material ½” thick or less could be used to create a stable surface from route to entrance.
Issue 3	Route to voter entry is unstable. The route to the voter door is made of loose gravel.
2010 ADA Standards for Accessible Design Requirements	302.1 Floor and ground surfaces shall be stable, firm, and slip resistant and shall comply with 302.
Suggestions for ADA Compliance	A core-gravel system, pavers, or other material ½” thick or less could be used to create a stable surface from route to entrance.
Issue 4	Route to voter entry is uneven and inaccessible. From the gravel route to the door’s concrete stoop, there is a 1” height rise.
2010 ADA Standards for Accessible Design Requirements	303.4 Changes in level greater than ½ inch (13 mm) high shall be ramped and shall comply with 405 or 406.
Suggestions for ADA Compliance	If a stable surface is created for the route, it could also be made to accommodate this rise in height at the stoop.

Issue 5	Threshold rise is too high. Threshold at voter entry has a 1" rise.
2010 ADA Standards for Accessible Design Requirements	404.2.5 Thresholds, if provided at doorways, shall be ½ inch (13 mm) high maximum. Raised thresholds and changes in level at doorways shall comply with 302 and 303.
Suggestions for ADA Compliance	A threshold plate could be installed, or an angled entry mat/threshold mat could be used to make entry accessible.
Issue 6	Door hardware is inaccessible. The door is inaccessible due to knob handle that requires twisting of the wrist.
2010 ADA Standards for Accessible Design Requirements	309. 4 Operable parts shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate operable parts shall be 5 pounds (22.2 N) maximum. 404.2.7 Handles, pulls, latches, locks, and other operable parts on doors and gates shall comply with 309.4. Operable parts of such hardware shall be 34 inches (865 mm) minimum and 48 inches (1220 mm) maximum above the finish floor or ground. Where sliding doors are in the fully open position, operating hardware shall be exposed and usable from both sides.
Suggestions for ADA Compliance	Have the door propped open during voting; use a temporary doorbell or ballot call alert system; use a doorknob gripper with levers; or have poll worker stationed at the door.

Thorn Creek Youth Center: 4 issues. Not Accessible. Per Clerk, voters enter the double-doors at the front-right of building.

Issue 1	<p>No designated parking. There are no parking spaces designated for accessibility.</p>
<p>2010 ADA Standards for Accessible Design Requirements</p>	<p>502.1 Car and van parking spaces shall comply with 502. Where parking spaces are marked with lines, width measurements of parking spaces and access aisles shall be made from the centerline of the markings.</p> <p>EXCEPTION: Where parking spaces or access aisles are not adjacent to another parking space or access aisle, measurements shall be permitted to include the full width of the line defining the parking space or access aisle.</p> <p>502.2 Vehicle Spaces. Car parking spaces shall be 96 inches (2440 mm) wide minimum and van parking spaces shall be 132 inches (3350 mm) wide minimum, shall be marked to define the width, and shall have an adjacent access aisle complying with 502.3.</p> <p>EXCEPTION: Van parking spaces shall be permitted to be 96 inches (2440 mm) wide minimum where the access aisle is 96 inches (2440 mm) wide minimum.</p> <p>If more than 25 parking spaces are provided to voters, see 208.2 for the number of accessible parking spaces required.</p>
<p>Suggestions for ADA Compliance</p>	<p>Use accessible signage to designate a parking space on Election Day. If only one space is designated, it must be a van accessible space with aisle.</p>

Issue 2	Parking is on an unstable surface. Parking area is uneven gravel.
2010 ADA Standards for Accessible Design Requirements	302.1 Floor and ground surfaces shall be stable, firm, and slip resistant and shall comply with 302. 502.4 Parking spaces and access aisles serving them shall comply with 302. Access aisles shall be at the same level as the parking spaces they serve. Changes in level are not permitted.
Suggestions for ADA Compliance	A core-gravel system, pavers, or other material ½” thick or less could be used to create a stable surface from route to entrance.
Issue 3	Route to voter entry is unstable. The ramp to the voter entry is made of loose gravel.
2010 ADA Standards for Accessible Design Requirements	302.1 Floor and ground surfaces shall be stable, firm, and slip resistant and shall comply with 302.
Suggestions for ADA Compliance	A core-gravel system, pavers, or other material ½” thick or less could be used to create a stable surface from route to entrance.

Issue 4	Route to voter entry is uneven and inaccessible. There are five steps to climb to reach the voter doors; no ramp is provided. The height rise of the steps exceeds 38”.
2010 ADA Standards for Accessible Design Requirements	303.4 Changes in level greater than ½ inch (13 mm) high shall be ramped and shall comply with 405 or 406.
Suggestions for ADA Compliance	A ramp of at least 38’ would be required to make this entrance accessible, and this would be an extensive project. We suggest moving this precinct to a different location.
Issue 5	Threshold rise is too high. Threshold at voter entry has a 2” rise.
2010 ADA Standards for Accessible Design Requirements	404.2.5 Thresholds, if provided at doorways, shall be ½ inch (13 mm) high maximum. Raised thresholds and changes in level at doorways shall comply with 302 and 303.
Suggestions for ADA Compliance	A threshold plate could be installed, or an angled entry mat/threshold mat could be used to make entry accessible.

Issue 6	Door hardware is inaccessible. The door is inaccessible due to knob handle that requires twisting of the wrist.
2010 ADA Standards for Accessible Design Requirements	<p>309.4 Operable parts shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate operable parts shall be 5 pounds (22.2 N) maximum.</p> <p>404.2.7 Handles, pulls, latches, locks, and other operable parts on doors and gates shall comply with 309.4. Operable parts of such hardware shall be 34 inches (865 mm) minimum and 48 inches (1220 mm) maximum above the finish floor or ground. Where sliding doors are in the fully open position, operating hardware shall be exposed and usable from both sides.</p>
Suggestions for ADA Compliance	Have the door propped open during voting; use a temporary doorbell or ballot call alert system; use a doorknob gripper with levers; or have poll worker stationed at the door.

Upper Tract VFD Training Center: 2 issues. Per Clerk, voters enter

Issue 1	<p>No designated parking. There are no parking spaces designated for accessibility.</p>
<p>2010 ADA Standards for Accessible Design Requirements</p>	<p>502.1 Car and van parking spaces shall comply with 502. Where parking spaces are marked with lines, width measurements of parking spaces and access aisles shall be made from the centerline of the markings.</p> <p>EXCEPTION: Where parking spaces or access aisles are not adjacent to another parking space or access aisle, measurements shall be permitted to include the full width of the line defining the parking space or access aisle.</p> <p>502.2 Vehicle Spaces. Car parking spaces shall be 96 inches (2440 mm) wide minimum and van parking spaces shall be 132 inches (3350 mm) wide minimum, shall be marked to define the width, and shall have an adjacent access aisle complying with 502.3.</p> <p>EXCEPTION: Van parking spaces shall be permitted to be 96 inches (2440 mm) wide minimum where the access aisle is 96 inches (2440 mm) wide minimum.</p> <p>If more than 25 parking spaces are provided to voters, see 208.2 for the number of accessible parking spaces required.</p>
<p>Suggestions for ADA Compliance</p>	<p>Use accessible signage to designate a parking space on Election Day. If only one space is designated, it must be a van accessible space with aisle.</p>

Issue 2	Route to voter entry is uneven and inaccessible. At the base of the ramp there is a 2'x 3' hole in the pavement that is 2"-3" deep.
2010 ADA Standards for Accessible Design Requirements	303.4 Changes in level greater than ½ inch (13 mm) high shall be ramped and shall comply with 405 or 406.
Suggestions for ADA Compliance	Material ½" thick or less, such as plywood, could be used to cover this hole and create a stable surface at the base of the ramp. Ultimately, this hole will need to be patched with concrete or blacktop.

Several temporary solutions have been offered for making polling sites across Pendleton County accessible, and many of these solutions can easily be found online or at your local hardware store. An additional resource is West Virginia University’s Center for Excellence in Disabilities WVATS (West Virginia Assistive Technology System) program. This program has portable ramps to loan for free, although pickup and drop-off of the ramps are required. Enclosed is a brochure with information for contacting WVATS.

The **2010 ADA Standards for Accessible Designs** referenced in this report can be found online at:
https://www.ada.gov/regs2010/2010ADAStandards/2010ADAStandards_prt.pdf

- Four other valuable resources have been included for your reference:
- ADA Checklist for Polling Places
 - The Americans with Disabilities Act and Other Federal Laws Protecting the Rights of Voters with Disabilities
 - Solutions for Five Common ADA Access Problems at Polling Places
 - ADA Quick Tips Tax Incentives

The ADA requires that public entities ensure that people with disabilities can access and use all voting facilities. Because a mix of public and private

facilities are used as polling places, public entities may ensure Election Day accessibility of a polling place by using low-cost, temporary measures, such as portable ramps or door stops, rather than making permanent modifications to a building. If temporary measures will not fix a barrier, and public entities are unable to make a permanent modification to fix the barrier, then the public entity must look for an alternative, accessible polling place.