

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 Protection and Advocacy for Voting Access (PAVA). The PAVA grant program allows DRWV to ensure that individuals with disabilities can access full participation in the election process.

Title II of the Americans 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 June 25-26, 2019, we completed exterior accessibility monitoring of all precincts in Mingo County. The majority of the polling sites in your county are accessible or can easily be made temporarily accessible designating accessible parking, hanging appropriate signage, and/or keeping doors opened. As such, the following ADA codes have been referenced below.

206.2.1 Site Arrival Points. At least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve.

216.6 Where not all entrances comply with 404 (Doors, Doorways, and Gates), 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.

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.

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. 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.

502.6 Identification. Parking space identification signs shall include the International Symbol of Accessibility complying with 703.7.2.1. Signs identifying van parking spaces shall contain the designation “van accessible.” Signs shall be 60 inches (1525 mm) minimum above the finish floor or ground surface measured to the bottom of the sign.

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

Before further review, please take time to browse the Standards to gain a better understanding of the issues addressed. The tables on the following pages list the ADA Standards and ADA Title II regulations, if applicable, for each area we monitored, the issues noted at each site, if any, and suggestions for meeting ADA compliance on election days.

Please provide DRWV with your written plan of corrections to address the issues cited in this report. You may submit your Plan of Corrections via email to srisden@drowv.org or by mail to:

**DRWV
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Charleston, WV 25301**

Table of Contents

Baisden Fire Department	5
Issue	5
2010 ADA Standards for Accessible Design Requirements	5
Suggestions for ADA Compliance	5
Board of Education.....	6
Issue	6
2010 ADA Standards for Accessible Design Requirements	6
Suggestions for ADA Compliance	6
Breeden Church of God	6

Issue	6
2010 ADA Standards for Accessible Design Requirements	6
Suggestions for ADA Compliance	6
Christian Fellowship Church of God.....	7
Issue	7
2010 ADA Standards for Accessible Design Requirements	7
Suggestions for ADA Compliance	7
Delorme Bible Church	8
Issue	8
2010 ADA Standards for Accessible Design Requirements	8
Suggestions for ADA Compliance	8
Gilmans Grocery	9
Issue	9
2010 ADA Standards for Accessible Design Requirements	9
Suggestions for ADA Compliance	9
Red Jacket Community Church	10
Issue	10
2010 ADA Standards for Accessible Design Requirements ..	10
Suggestions for ADA Compliance	10
Stone Creek Lodge	10
Issue	10
2010 ADA Standards for Accessible Design Requirements ..	10
Suggestions for ADA Compliance	10

Varney Community Center	11
Issue	11
2010 ADA Standards for Accessible Design Requirements ..	11
Suggestions for ADA Compliance	11
Wharnccliffe Park.....	11
Issue	11
2010 ADA Standards for Accessible Design Requirements ..	11
Suggestions for ADA Compliance	11

Baisden Fire Department	
Issue	Unstable parking facility surface and route to entrance.
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. 404.2.4.4 Floor or Ground Surface. Floor or ground surface within required maneuvering clearances shall comply with 302. Changes in level are not permitted.
Suggestions for ADA Compliance	Parking facility should be paved, or mobility mats should be temporarily installed to create a stable surface from parking area to entrance.

Board of Education	
Issue	Unstable surface in transition from parking facility to entrance landing.
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	Parking facility should be paved, or mobility mats should be temporarily installed to create a stable surface from parking area to entrance route.

Breeden Church of God	
Issue	Unstable parking facility surface.
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	Ramps should be installed in transition from entry routes to doorway landings (both images). Additional ramp should be built or installed in transition from parking facility to entry route (right image).

Christian Fellowship Church of God	
Issue	Entrance ramp lacks second rail for safety.
2010 ADA Standards for Accessible Design Requirements	<p>505.2 Where Required. Handrails shall be provided on both sides of stairs and ramps. EXCEPTION: In assembly areas, handrails shall not be required on both sides of aisle ramps where a handrail is provided at either side or within the aisle width.</p> <p>505.10.1 Top and Bottom Extension at Ramps. Ramp handrails shall extend horizontally above the landing for 12 inches (305 mm) minimum beyond the top and bottom of ramp runs. Extensions</p>
Suggestions for ADA Compliance	An additional ramp rail should be built for stability and safety.

Delorme Bible Church	
Issue	Threshold too high and lack of ramp rails.
2010 ADA Standards for Accessible Design Requirements	<p>303.4 Changes in level greater than ½ inch (13 mm) high shall be ramped and shall comply with 405 or 406.</p> <p>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.</p> <p>405.8 Handrails. Ramp runs with a rise greater than 6 inches (150 mm) shall have handrails complying with 505.</p> <p>505.1 General. Handrails provided along walking surfaces complying with 403, required at ramps complying with 405, and required at stairs complying with 504 shall comply with 505.</p>
Suggestions for ADA Compliance	<p>Wedge ramp should be built or temporarily installed to create accessible entrance.</p> <p>Ramp rails should be built on each side of the ramp, to ADA Standards specifications, including rail extensions and barriers.</p>

Gilmans Grocery	
Issue	Lack of ramps at entrances.
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> <p>302.1 Floor and ground surfaces shall be stable, firm, and slip resistant and shall comply with 302.</p> <p>505.2 Where Required. Handrails shall be provided on both sides of stairs and ramps. EXCEPTION: In assembly areas, handrails shall not be required on both sides of aisle ramps where a handrail is provided at either side or within the aisle width.</p>
Suggestions for ADA Compliance	Ramp should be repaired to create stable surface and should extend to ground. Rails should also be added. Parking facility surface should be repaved to allow for shortest accessible route to entrance.

Red Jacket Community Church	
Issue	Lack of ramp access to building and unstable surface between parking facility and entrance route.
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. 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	Grassy area between road/parking facility and entrance route should be paved or have mobility mat temporarily installed to create stable surface. Gaps in route should be patched. Ramp should be built to create accessible entrance.

Stone Creek Lodge	
Issue	Lack of ramp access to building.
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	Ramp should be built, or wedge ramp should be temporarily installed to provide access.

Varney Community Center	
Issue	Unstable parking facility and entrance route surfaces.
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	Parking facility and route should be paved or mobility mat should be temporarily installed to create a stable surface.

Wharncliffe Park	
Issue	Threshold too high.
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. 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	Threshold wedge ramp should be installed or transition between parking facility and building should be leveled to create accessible entrance.

Several temporary solutions have been offered for making polling sites across Mingo 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 pick-up 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.