

**RESOLUTION ADOPTING
Kitsap County Americans with Disabilities ACT (ADA) Transportation Facilities Transition
Plan (February 2025)**

WHEREAS, The Americans with Disabilities Act (ADA) was enacted on July 26, 1990, and provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, and access to public accommodations, transportation, and telecommunications.

WHEREAS, Counties and other government agencies are required to have an ADA Self-Evaluation and Transition Plan when they grow beyond a threshold of 50 employees.

WHEREAS, accessibility requirements extend to all public facilities, the scope of this plan is focused on accessibility within the public right-of-way.

WHEREAS, Kitsap County has completed an inventory of its pedestrian facilities.

WHEREAS, this plan allows the County to prioritize the removal of barriers and update procedures as they relate to accessibility within the public right-of-way.

WHEREAS, there are five titles, or parts, to the ADA, of which Title II is the most pertinent to travel within the public right-of-way and government owned buildings. Title II of the ADA requires public entities to make their existing "programs" accessible "except where to do so would result in a fundamental alteration in the nature of the program or an undue financial and administrative burden." Public right-of-way, public government buildings, and public parks all fall within the County's programs.

WHEREAS, this effort was initiated by Kitsap County to improve the accessibility of the County's transportation facilities, and to satisfy the requirements of ADA Title II Part 35, Subpart D – Program Accessibility § 35.150 (d)(3) which states: The plan shall, at a minimum:

- (i) Identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities to individuals with disabilities.
- (ii) Describe in detail the methods that will be used to make the facilities accessible.
- (iii) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the duration of the Transition Plan is longer than one year, identify steps that will be taken during each year.
- (iv) Indicate the official responsible for implementation of the plan.

WHEREAS, to determine the physical obstacles in a public entity's facility, the proper standards and guidance must be identified for each feature type. The 2010 ADA Standards for Accessible Design (ADAS) is the document in which all Federal ADA standards are collectively held. The 2010 ADAS and regulations from 28 CFR Part 36 replaced the 1991 ADA (ADA Accessibility Guidelines). The Revised Draft Guidelines for Accessible Public Right-of-Way was published by the United States Access Board in 2005 to provide design guidance on establishing accessible facilities within the right-of-way. The United States Access Board's Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way,

or PROWAG, was published for comment in 2011. Upon consideration of the comments received, the final rule was then published in the Federal Register on August 8, 2023, as a revised set of guidelines for right-of-way pedestrian facilities. While the guidelines have not yet been adopted as federal standards, many public entities currently use the draft PROWAG as 'best practice' for features within the public right-of-way. This practice has been endorsed by the Federal Highway Administration (FHWA) and the US Access Board, and it is the standard to which the Washington State Department of Transportation adheres. As data collection for this Transition Plan began prior to adoption of the 2023 PROWAG, the public right-of-way facilities evaluated under this plan were evaluated against 2011 PROWAG.

THEREFORE, BE IT HEREBY RESOLVED by the Board of Kitsap County Commissioners, in regular session assembled, that the Board adopts the Kitsap County Americans with Disabilities ACT (ADA) Transportation Facilities Transition Plan (February 2025).

ADOPTED this 14 day of April, 2025

**BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY, WASHINGTON**



CHRISTINE ROLFES, Chair



ORAN ROOT, Commissioner



KATHERINE T. WALTERS, Commissioner



ATTEST:



DANA DANIELS, Clerk of the Board