



City of Loveland
ADA Compliance & Transition Plan
for Curb Ramps within the Public Right of Way

September 2015

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I. Introduction

Background: The Americans with Disabilities Act (ADA) was enacted on July 26, 1990 and later amended effective January 1, 2009. As written and implemented, the ADA provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, access to public accommodations, transportation, and telecommunication. The ADA is a companion civil rights legislation to the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. In order to be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such impairment. The ADA, however, does not specifically name all of the impairments that are covered.

The ADA is divided into five sections covering the following topics:

- Title I: Employment
- Title II: Public Services (and Transportation)
- Title III: Public Accommodations (and Commercial Facilities)
- Title IV: Telecommunications
- Title V: Miscellaneous Provisions

In September 2010, the Department of Justice published revisions to both the 2010 Standards for State and Local Government Facilities Title II regulations at 28 CFR 35.151; and the 2004 Americans with Disabilities Act Accessibility Guidelines (ADAAG) at 36 CFR part 1191. The revision and adoption of the two previously referenced documents form the 2010 ADA Standards for Accessible Design. Title II specifically prohibits state and local governments from discriminating against persons with disabilities or from excluding participation in or denying benefits of programs, services, or activities to individuals with disabilities. It is under this title that this transition plan has been prepared. This transition plan is intended to outline the methods by which physical changes will be made to give effect to the non-discrimination policies described in Title II.

Transition Plan: The Americans with Disabilities Act of 1990 requires that all public agencies with more than 50 employees to create and implement a *Transition Plan*. The purpose of this document is to ensure that the City of Loveland is compliant with all applicable ADA requirements, and create steps to make all public pedestrian facilities accessible to persons with disabilities wherever feasible.

The City of Loveland Transition Plan consists of the following elements:

- Transition Plan Development (including ADA coordinator designation, public grievance procedure, Self-Evaluation, ADA Standards, Specifications and Implementation Standards);
- Appendix A: External Links for Standard Drawings for Curb, Curb Ramp, and Sidewalk Construction;
- Appendix B: Summary of the ADA Ramp Inventory;

- Appendix C: Self-Evaluation and Prioritization. Additional detailed information regarding the ADA requirements is available from numerous sources in the Federal Highway Administration (FHWA), Colorado Department of Transportation (CDOT), Federal Access Board and Federal Department of Justice (DOJ) online material available through their respective websites (see Appendix A).

II. Transition Plan Development

To ensure program accessibility for people with disability in the community, the City of Loveland has developed a Transition Plan, which is to be considered good practice. This Transition Plan for Public Rights-of Way considers the following:

A. ADA Coordinator:

Effective communication is essential to address all the complaints or concerns of all individuals. In order to keep maintaining the lines of communication open, and thereby ensuring effective communication between all parties, the City of Loveland has designated an ADA coordinator. The ADA Coordinator shall coordinate the City's efforts to comply with and carry out its responsibilities under Title 11 of the ADA, including any investigation of any complaint communicated to the ADA coordinator. Such complaints may take the form of alleging noncompliance with ADA mandates or alleging any actions that would be prohibited under the ADA. The City of Loveland shall make available to all interested individuals the contact information, including the office address and telephone number, of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints. Every complaint must be directed in writing to the ADA Coordinator, in this case.

B. Grievance Procedure:

The City of Loveland Grievance Procedure under the Americans with Disabilities Act, as well as the contact information for the ADA Coordinator, can be found at the following link: <http://www.cityofloveland.org/index.aspx?page=1880>.

C. Self-Evaluation:

The City of Loveland has conducted an inventory of curb ramps and sidewalks using field visits supplemented by remote sensing, aerial photography and other Geographic Information Systems (GIS) technologies. The City of Loveland is committed to making all curb ramp and sidewalk areas accessible to all pedestrians, including those with disabilities. This will be accomplished through the following programs:

All new construction, including federal projects under the control and/or inspection of the City, will be in compliance with the most current ADA Standards;

- The City of Loveland will have in place an annual sidewalk repair program. Using a conservative estimate of \$2,000 per curb ramp installation or reconstruction, the City of Loveland is committing a portion of funds from the annual Concrete Repair Program budget to practice its due diligence in complying with the Standards. The City will complete this work with its own forces or will obtain bids to complete this work for the purpose of installing new curb ramps and reconstructing existing curb ramps to meet ADA standards.

- Missing or non-compliant curb ramps shall be prioritized. Prioritization shall be based on Best Engineering Practices as determined by the City Engineer and safe navigation concerns for persons with disabilities. Examples of high priority areas have been included in the **Appendix C: Self-Evaluation and Prioritization**.
- Missing or non-compliant sidewalk areas beyond the public right-of-way that connect building and facility entrances to public streets and sidewalks shall fall under other ADA guidelines. As such, these are outside the scope of this document, and will be documented and prioritized elsewhere.

See Self-Evaluation Checklist of possible barriers below:

Table 1: Self-Evaluation Checklist

ISSUE	Possible Barriers
Sidewalk and Pathway Clear Width	Narrow, Below Guidelines
Sidewalk and Pathway Cross Slope	Steepness, Irregularity, Variability, Warping
Landings Along Sidewalks and Pathways	Less Than 4 feet by 4 feet
Sidewalk and Pathway Grade	Steepness, Angle Points
Materials and Finishes	Deterioration of Surfaces, Deterioration of Markings, Appropriateness of material (ex. Cobblestones)
Gratings	Grating Type, Grate Opening Orientation
Discontinuities	Missing Sections, Gaps, Drops, Steps
Detectable Warning System	Missing, Inappropriate Materials, Inadequate Size, Wrong Location
Obstructions	Signs, Mail Boxes, Fire Hydrants, Benches, Telephones, Traffic Signal Poles, Traffic Signal Controller Boxes, Newspaper Boxes, Drainage Structures, Tree Grates, Pole Mounted Objects, Standing Water, Snow or Ice
Curb Ramp	Missing, Doesn't Fall within Marked Crosswalk, Doesn't Conform to Guidelines
Curb Ramp Flares	Missing Where Required, Too Steep

Standards set for each of these issues can be found in the US Architectural and Transportation Barriers Compliance Board's *Accessible Rights-of-Way: A Design Guide*, Chapter 3 "Best Practices in Accessible Rights-of-Way Design and Construction". Refer to their website at <http://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/guidance-and-research/accessible-public-rights-of-way-planning-and-design-for-alterations/chapter-3—design-process> for more information.

The information developed through the inventory process has to be quantified and presented as a baseline so that progress can be monitored and measured. The inventory information can be presented in a variety of ways including Aerial Photos, a Database or Spreadsheet, Marked-Up Drawings, or a Geographic Information System (GIS).

Periodic reviews and updates to the Plan must be conducted to ensure ongoing compliance with ADA requirements. Self-evaluation activities would then consist of reviewing the Plan to determine the level of compliance, and determine if any additional areas of upgrade are needed. If deficiencies are found, they are catalogued and the Transition Plan is updated to detail how and when the barriers to pedestrian access would be removed.

III. Citywide Curb Ramp Inventory

A. Introduction:

The City of Loveland complies with State and Federal requirements to inventory curb ramps with limited resources. Given the current demands on the transportation infrastructure and the needs of Colorado's citizens, CDOT determined that it would not be cost-effective to conduct a physical field analysis across the state. A project of that magnitude would require tremendous resources. The City of Loveland adopted the CDOT inventory method to develop a spatial ESRI SDE point feature class dataset to manage curb ramp inventory both spatially and in tabular form. Using the CDOT method, the City of Loveland was provided with a foundation on which to build its own curb ramp inventory database. The inventory database was intended to document the presence or absence of curb ramps where any individual crosses City-maintained streets along pedestrian sidewalk, marked or unmarked pedestrian crossings.

The current, in-progress inventory includes nearly 6,000 curb ramps across approximately 75% of the City of Loveland. The initial collection of ramps focused on three basic questions: Does a curb ramp exist? Is a sidewalk present? Is a discernible path present? **Appendix C** illustrates a summary of the progress in updating that inventory (a table showing individual data points from ADA Ramp inventory available upon request). The following photos in Figures 1-3 illustrate visual examples of CDOT's analysis of typical locations:

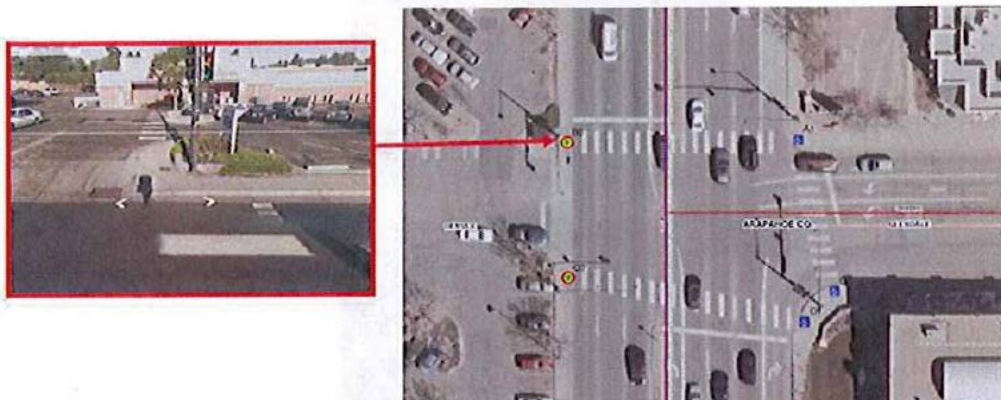


Figure 1 - Sidewalk without curb ramp



Figure 2 - Discernible path or sidewalk without curb ramp



Figure 3 - Sidewalk and crosswalk without curb ramp

B. ADA Curb Ramp Standards, Specifications and Implementation Standards

- Details and Standards: The City has developed details and standards for construction of pedestrian facilities in the *Chapter 16 – Pedestrian Facilities Design and Technical Criteria* of the Larimer County Urban Area Street Standards (LCUASS) which will be used for all private land development and on City Capital projects. These standards apply to all construction undertaken within the City of Loveland Rights-of-Way. The City of Loveland standards and specifications together with the Colorado Department of Transportation design guidelines, standard drawings, and standard specifications along with the Americans with Disabilities Act Accessibility Guidelines (ADAAG) will provide the key standards and guidelines for this plan. The standard which is most restrictive will apply, if necessary, other standards may be applied at the discretion of the ADA Coordinator. A link to the latest Standards for curb, curb ramp, and sidewalk construction are included in **Appendix A**.
- New Construction: All new construction work for both private land development and City Capital projects that includes pedestrian facilities must incorporate ADA accessible features to the maximum extent that is technically feasible. These features must adhere to the current standard of ADA compliance at the time of construction.
- Alteration: All alteration work as defined below that includes existing pedestrian facilities must upgrade those features within the scope of the project to current ADA standards to the maximum extent that is technically feasible. This upgrade work may be prioritized within available City resources by the ADA Coordinator and Public Works Director. All accessibility upgrade work must be completed within the same timeframe as the alteration project.
- Alteration is defined as any work that could affect the structure, grade, function or use of a facility. Examples include reconstruction, major rehabilitation, structural resurfacing (overlays), new traffic signal installation, and projects of a similar scale and effect. This does not include maintenance work, see below, or upgrades outside the project scope.
- Maintenance: Maintenance activities are not considered alterations, and do not have the same upgrade requirements. Maintenance work includes such items as pothole patching, non-structural surface treatments (chip or slurry seals), striping, signage, and repairs to drainage systems or minor traffic signal upgrades.
- Feasibility: Upgrades and new facilities should provide accessibility to the maximum extent that is technically feasible. Feasibility is determined by physical constraints only, such as terrain, available right-of-way, underground structures, adjacent developed facilities, environmental elements, drainage and/or historic/cultural features. Situations where installation or upgrades of ADA accessible facilities are not feasible should be adequately documented.
- Implementation Standards: The City of Loveland intends to implement this Transition Plan effective on the date of this document. Not only does the City of Loveland commit to following the guidelines set forth in this Transition Plan, but it also commits to actively revising and amending this document as new information is discovered. Furthermore, as a matter of policy, this document will be updated at least every five years. A copy of this document will also be placed on the City of Loveland's website.

C. Data Collection Criteria

Utilizing full-time employees to train professional and student interns, the City of Loveland began collecting and populating field data attributes of existing or absent curb ramps within city limits. The collection of data was stored in a spatial SDE database and managed using GIS software. Based on the attributes collected, the data can be queried and reports can be created to focus on specific attribute fields to assist in location repair prioritization and reconstruction. The following attributes are collected and a unique object identifier is calculated for each point in the spatial database, as shown in Table 2:

Table 2: Attributes of ADA Curb Ramps

Attribute Collected	Input	Description
OBJECTID *	1	ESRI software unique point identifier.
Facility ID	ADA1	COL - GIS Department calculated identifier.
ADA Ramp Present	Yes, No W/O Sidewalk, No W/ Sidewalk, <Null>	
Sidewalk	<Null>, Attached, Detached, One Each, N/A, Unknown	
Sidewalk Each Direction	<Null>, Yes, No, , N/A, Unknown	
Domes	<Null>, Yes, No, Unknown	
Directional	<Null>, Yes, No, Unknown	
Cross Slope	2, 4, 6, 8, 9+	Field measured as Percent slope
Condition	Excellent, Repair, Sufficient, Unknown	COL Ramp Condition
ADA Condition	Meets ADA, Sufficient, Repair Required	ADA Ramp Condition
Condition Date	MM/DD/YYYY	Date of Condition Assessment
Sidewalk Width NS	4, 5, 6, 6+	Width of Sidewalk (ft.)
Ramp Width	3, 4, 5, 6, 6+	Width of Existing Ramp (ft.)
Ramp Slope	<Null>, 2, 4, 6, 8, 9+	Path of travel slope.
GPS DATE	MM/DD/YYYY	Date of Field Curb Ramp Location collection.
Comments		
Image1	J:\PROJECTS\PUBLIC_WORKS\ProjectEngineering\ADA_Ramp_Inventory\GPS_Pictures\ADA092708A~files\199.jpg	Image capture folder location.
DATADESC	ADA ramps in the City of Loveland, Colorado.	
ORIGINATOR	GPS points taken by Public Works Engineering Division, Processing completed by GIS Division.	
SECURITY	Restricted	
DISTPOLICY	Government Agencies or Their Delegated Agents - Internal Use Only	
LOADDATE	5/19/2014	Date of Upload to Master GIS file
LASTUPDATE	<Null>	Date of Last collection for ramp
LASTEDITOR	Spearson	Name of GIS map Editor

D. Location Prioritization

The City of Loveland included in its initial Curb Ramp Inventory a prioritization based on the population density where the greatest number of people with disabilities would need access to critical public buildings. Understanding that people with disabilities in rural or less-populated areas have needs of equal importance as those located in more heavily populated areas, the City of Loveland prioritized the areas in its initial inventory based on access to critical public buildings and rely on public input according to the Transition Plan's Grievance Procedure for communicating specific problem areas. As complaints are processed and evaluated, the Curb Ramp Inventory is updated so that the needs of people with disabilities are satisfied. When the initial Curb Ramp Inventory was conducted, locations where curb ramps were not present or where the condition was deemed insufficient were determined and were included in the yearly Concrete Repair Program.

Curb Ramp location priorities are considered to be of high, medium or low priority. Criteria for being considered a high priority location include such critical public buildings as City-owned facilities, public schools, hospitals, health clinics, public and private health centers, public housing and homeless shelters, senior facilities and rehabilitation centers, bus stop and transportation hubs, Department of Motor Vehicle offices, County parks, and prisons.

A Medium priority designation is given to those locations which are adjacent to intersections and roadways near shopping malls, supermarkets, major employment sites, housing complexes and apartments; a Low priority designation is given to those locations which are in single family residential areas, industrial areas and other areas that are not high or medium priority.

The City of Loveland maintains a high regard for complaints from people with disabilities and public input. New development shall be constructed to comply with current ADA Standards. In addition, the repair of existing roadway intersections and crosswalks shall be constructed to comply with current ADA Standards to the extent that it is technically feasible and in compliance with the Department of Justice's standards for upgrading existing public facilities. In compliance with LCUASS and CDOT Standards, the ADA Curb Ramp Inventory database will be useful to Engineers during the project planning phase to identify any needed ADA curb ramp upgrades or reconstruction. The data will also be used to flag any non-compliant existing curb ramps or locations that require ADA access that are not currently included in the designated project. Updates to the inventory will be included to the City of Loveland Transition Plan. A summary of current progress is shown in **Appendix C** (table showing individual data points available upon request).

Appendix A: External Links for Standard Drawings for Curb, Curb Ramp, and Sidewalk Construction

External Links:

City of Loveland ADA Policy Notice and Grievance Procedure

<http://www.cityofloveland.org/index.aspx?page=1879>

<http://www.cityofloveland.org/index.aspx?page=1880>

Larimer County Urban Area Street Standards (LCUASS)

<http://www.larimer.org/engineering/GMARdStds/UrbanSt.htm>

CDOT ADA Transition Plan

<http://www.coloradodot.info/business/civilrights/accessibility/ada/ada-documents-assets/transition-plan>

CDOT Construction Cost Data Book

<http://www.coloradodot.info/business/eema/documents/2010/2010FINALCONST.txt/view>

CDOT – M&S Standard Plans

<http://www.coloradodot.info/business/designsupport/standard-plans>

United States Access Board – ADA Standards (Chapter 4: Accessible Routes) <http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/ada-standards/single-file-version#a4>

<http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/ada-standards>

United States Department of Justice Civil Rights Division – 2010 ADA Standards

<http://www.ada.gov/regs2010/2010ADASTandards/2010ADASTandards.htm>

Appendix B: Summary of the ADA Ramp Inventory

Summary of the ADA Curb Ramp Inventory within the Public Right-of-Way

April 2015

As indicated in this Appendix B it is estimated that seventy-five percent of the City's ADA curb ramps within the public street system have been inventoried for compliance with the current Americans with Disabilities Act Accessibility Guidelines (ADAAG) as of the year 2014. Thirty-five percent of the inventoried system meets the current ADAAG standards. This does seem to be a small number of ADA curb ramps meeting the current standard. Until you research why, that is because there are an additional 57% of the inventoried ADA curb ramps that previously were compliant under older ADAAG standards, but are now non-compliant with the current standard.

As has always been the case in the City of Loveland all new developments that were constructed were required to follow the street construction standards of the time. Some of these developments were constructed prior to the inception of the ADAAG requirements; therefore these areas are generally non-compliant. Additionally after the inception of the ADAAG new developments being constructed were required to follow the Larimer County Urban Area Street Standards (LCUASS). In these standards it is required that the most restrictive ADA standards be followed. This has been the case not only for new development but also for City projects. However because the ADA standards are changed periodically by the various Federal organizations these previously constructed ADA ramps are no longer compliant.

In summary 92% of the inventoried ADA curb ramp system in Loveland does meet either the previous ADAAG standard or the current standard.

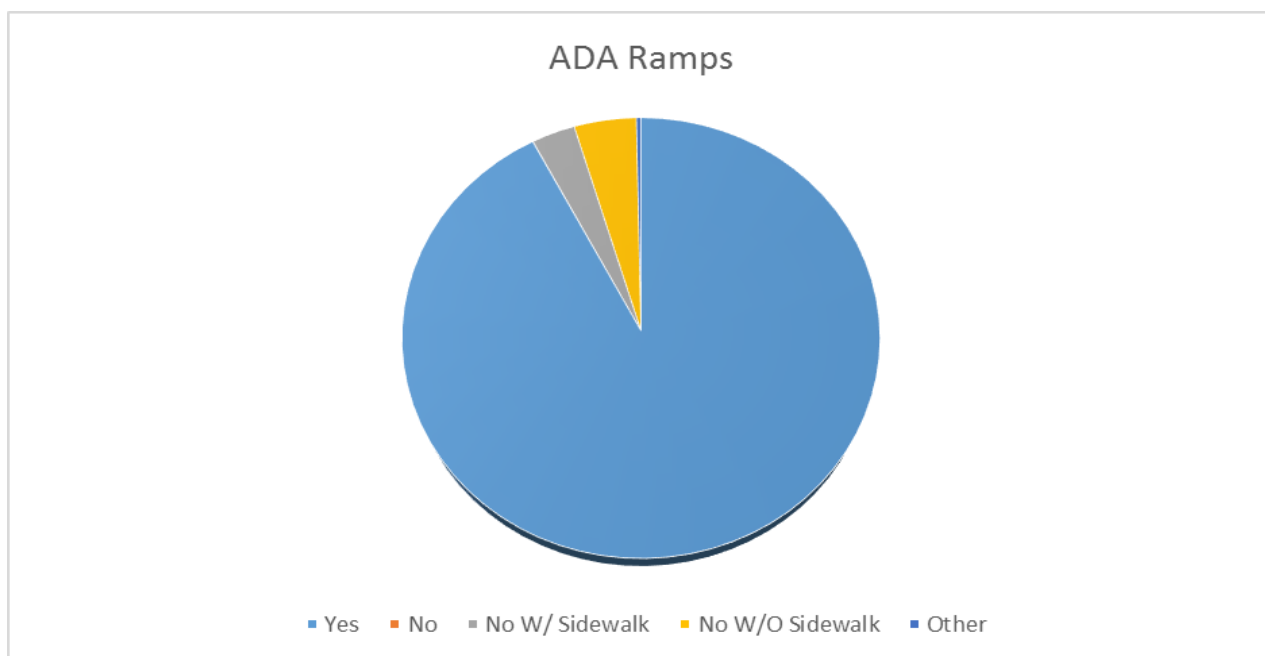


Figure 4 - ADA Ramps Present

Table 3 - ADA Ramps

Yes	5695	92.27%
No	1	0.02%
No W/ Sidewalk	188	3.05%
No W/O Sidewalk	268	4.34%
Other	20	0.32%

The ADA Ramps Present information (shown in Figure 4 and Table 3) details whether or not an ADA ramp is present at a particular location. A “Yes” indicates that a ramp does exist at this location; a “No” indicates that there is not a ramp in this location generally, while the fields “No W/ Sidewalk” and “No W/O Sidewalk” indicate the absence of a ramp in addition to the presence or absence (respectively) of a sidewalk as well; the “Other” field indicates a situation not conforming to those previously stated. Below are photographs of typical ramps for three of the fields: “Yes,” “N W/ Sidewalk,” and “No W/O Sidewalk.”



ADA Ramps “Yes” field – ADA present at specified location

ADA Ramps “No W/ Sidewalk” field – No ADA ramp, but sidewalk present



ADA Ramps “No W/O Sidewalk” field – Neither an ADA Ramp or Sidewalk is present

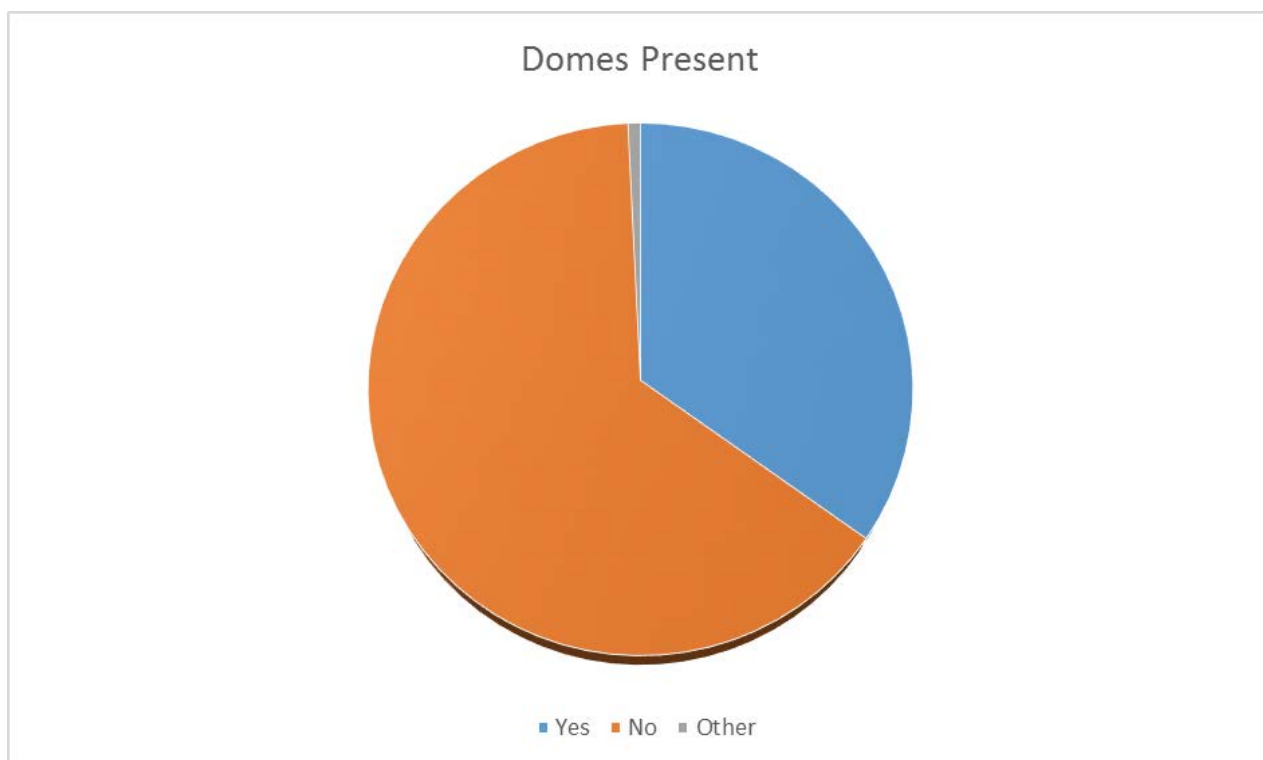


Figure 5 - Domes present

Table 4 - Domes Present

Yes	2155	34.92%
No	3970	64.32%
Other	47	0.76%

The Domes Present information (shown in Figure 5 and Table 4) details whether or not an ADA ramp has truncated domes or not. The “Yes” field indicates that the specified ramp has domes in some form (bricks, plates, plastic, etc.), while the “No” field indicates that no domes are present. The “Other” field indicates a situation not conforming to those previously stated. Below are photographs of ramps for the “Yes” and “No” fields.

Domes Present “Yes” field – Domes are utilized on ramp.



Domes Present “No” field – No domes are utilized on ramp.

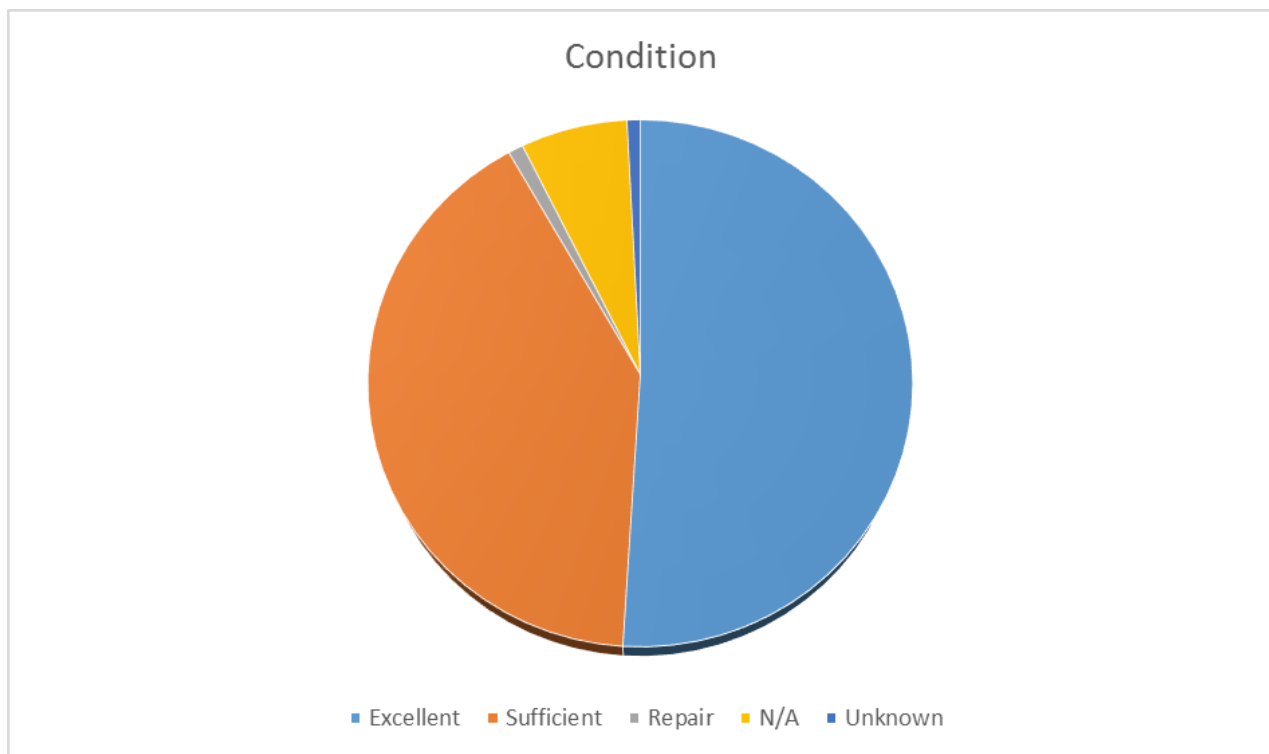


Figure 6 - Condition of Ramp

Table 5 - Condition

Excellent	3147	50.99%
Sufficient	2514	40.73%
Repair	57	0.92%
N/A	404	6.55%
Unknown	50	0.81%

The Condition information (shown in Figure 6 and Table 5) details whether or not an ADA ramp meets current ADA requirements. The “Excellent” field indicates that the specified ramp meets all ADA requirements: truncated dome s are utilized, and the ramp and cross slopes are within the appropriate margin. The “Sufficient” field indicates that the ramp was previously compliant with ADA standards, but updates and revisions to those standards have rendered the ramp uncompliant. Though not meeting present day ADA standards, the “Sufficient” ramps are still usable and do not present an overt safety hazard. A ramp labeled “Sufficient” more often than not received that designation due to a lack of truncated domes. The “Repair” field indicates a ramp that requires repair due to a lack of ramp, a lack of domes, a lack of domes, insufficient slopes, drainage issues, or any other hazards/concerns. The “N/A” field indicates a complete lack of ramps, sidewalks, and other pedestrian facilities. This designation is usually used when much of the surrounding area also lacks pedestrian facilities and has yet to be improved; the “Repair” field is used when a specific corner in an improved area lacks pedestrian facilities. The “Unknown” field indicates a situation not conforming to those listed above. Below are examples of “Excellent”, “Sufficient,” and “Repair” designated ramps.



Condition "Excellent" field – Domes and slopes meet ADA requirements.

Condition "Sufficient" field – Ramp was previously compliant with ADA standards, but is not compliant with current ADA standards; while not compliant, ramps is deemed sufficient in that it is still usable and not a safety



Condition "Repair" field – Lack of ramps, domes and/or appropriate slope deem ramp as unacceptable by ADA standards.

Condition "N/A" field – No pedestrian facilities present. The lack of pedestrian facilities in this area (see opposing corner) designates this corner as "N/A" rather than "Repair."



Appendix C: Self-Evaluation and Prioritization

Self-Evaluation

The City of Loveland will continue to evaluate its ADA curb ramp system on a yearly basis. This will be performed by City staff who will follow the inventory guidelines as detailed in this document in Section 2. C. Self-Evaluation. Currently 75% of the system has been inventoried and the goal is complete the inventory of the entire system by the year 2017.

Prioritization

The top priority is to enforce the most current standards within the public right-of-way for all ADA curb ramps constructed. This includes having an on-call contractor to provide a 30-day response for citizen requests, weather permitting; require new development construction; all public pedestrian improvement projects; and all public street resurfacing projects that place one inch or more of new pavement.

For the prioritization of the location of ramp upgrades, the City will employ the following methods:

The City will utilize an on-call concrete repair contractor for citizen requested ADA ramp needs. When the City receives a request from a citizen that they need an ADA curb ramp or ramps to provide an accessible route; a work order is prepared; and weather permitting the on-call contractor has 30-calendar days to complete the work.

All new developments being constructed will be required to follow the current street construction standards. The city's specifications are the Larimer County Urban Area Street Standards (LCUASS). When or if these standards are less restrictive than ADAAG, developments will be required to follow the most restrictive ADA standard at the time of construction.

The annual Street Rehabilitation Program is for the repair and maintenance of the City's existing public street infrastructure. Included in this infrastructure maintenance are ADA curb ramp upgrades. This Program is used to upgrade the majority of the existing ADA curb ramps. This Program strictly follows this requirements of the Department of Justice regarding street resurfacing. That requirement is for any street receiving a surface treatment of 1-inch or more requires that the adjoining ADA ramps to be brought up to the current ADA standard. Annually this program upgrades approximately 250 ramps and there are an additional 25 ramps being repaired by the on-call concrete contractor.

Based on the current rate of repair, and provided the ADAAG standards remain the same, the remaining curb ramps within the City of Loveland are planned to be brought into compliance in approximately 15-years (2030).