Polling Place Accessibility Survey Report

Middlesex Town Hall

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DRVT is the Protection & Advocacy system for Vermont and our State's Mental Health Care Ombudsman.
Introduction

In October 2002, President Bush signed the federal Help America Vote Act (HAVA) into law. HAVA created new minimum standards for states to follow in their administration of elections. HAVA also provided funds to help states improve voter registration and access, voting machine technology, and accessibility for voters with disabilities. Disability Rights Vermont has received a grant under this law to work with local election officials and other disability advocacy groups to help Vermont implement this important legislation.

On July 28, 2022, DRVT conducted an accessibility survey of the Middlesex Town Hall at 5 Church Street in Middlesex, a designated polling location for Middlesex, Vermont. This survey was conducted using information from the following instruments:

1. 2010 ADA Standards for Accessible Design produced by the Department of Justice.  

2. ADA Checklist for Polling Places June 2016 by the U.S. Department of Justice, Civil Rights Division.

It is evident that the Town of Middlesex has made efforts to make the facility accessible. However, our survey identified some areas that remain out of compliance with the Americans with Disabilities Act (ADA) (42 U.S.C. § 10801 et. seq.). This report details DRVT’s findings and offers some short-term and long-term solutions to aid planners in correcting the identified deficiencies.
EVALUATING THE PHYSICAL ACCESSIBILITY OF POLLING PLACES

When choosing a new site for a polling place, election officials should select a facility that is accessible to voters who use wheelchairs or scooters or who have difficulty walking. Planning for an upcoming election also gives election officials the opportunity to improve existing polling places that are not accessible by using temporary elements, such as portable ramps, on Election Day or by working with building owners to make permanent alterations that improve the accessibility of the polling place.

The following checklist is designed to help voting officials determine whether a polling place has basic accessible features needed by most voters with disabilities. It may be used when evaluating the accessibility of potential new polling places and when identifying physical barriers in existing polling places before temporary or permanent modifications are made to improve accessibility for elections.

Parking

When parking is provided for voters, staff and volunteers, accessible parking must be provided for people with disabilities. Voters with disabilities who arrive by car need a parking space close to an accessible entrance. The accessible parking space has an adjacent access aisle that provides needed room for a person to open the car door fully and then stand with the aid of a walker, to transfer to a wheelchair, or to lower a wheelchair lift. The access aisle connects directly to an accessible route that leads to an accessible building entrance. In order to be usable, the access aisle must be relatively level, clear of gravel or mud, and the surface must be in good condition without wide cracks or broken pavement.

The following aspects of the parking for the Middlesex Town Hall were found not to be in compliance:

1. ADA Standards 208.2, 502.2, and 502.3 require that if parking is provided for the public, that there are an adequate number of accessible parking spaces provided including at least one van-accessible space. This standard is not met as there are no designated van-accessible parking spaces. (See
Image 1 and Photo 2). These standards could be met by designating a van-accessible parking space closest to the accessible entrance that meets the criteria for van-accessibility (11-foot wide parking space with 5-foot wide access aisle, or 8-foot parking space with 8-foot access aisle) and affixing the appropriate parking signs.
2. ADA Standards 502.4 and 302.1 require that the surfaces of the designated accessible parking spaces and access aisles be stable, firm, and slip resistant (clear of gravel and mud, and in the winter, clear of snow). These standards are not met as the existing accessible parking space is located partially in grass and gravel and there is no clear access aisle marked. (See Photo 2 above and 3 below). One way these standards could be met on Election Day is to find a parking area that is close to the accessible entrance that would be stable, firm and slip resistant. Provide an accessible parking space and access aisle in that area by marking them off with traffic cones. Make sure the accessible parking spaces connect to an accessible route to the entrance. These standards could also be met permanently by resurfacing and striping the existing park lot so that it is stable, firm and slip resistant and by marking the space with the closest route to the as accessible parking.

Exterior Accessible Routes and Ramps

There must be at least one exterior accessible route that connects accessible passenger drop-off areas, accessible parking spaces, and other accessible elements, such as a route from a bus stop to an accessible building entrance. The accessible route is essential for people who have difficulty walking or who use wheelchairs or other mobility aids to get to the accessible entrance of the polling place.

The following aspects of the accessible route for the Middlesex Town Hall were found not to be in compliance:
1. ADA Standard 303 requires that the accessible route be free of abrupt changes in level greater than ½”, including stairs. While this standard is technically met, the accessible route area that connects to the level landing is showing signs of deterioration and should be repaired to avoid creating a tripping hazard to individuals with mobility issues. (See Photo 4).

Accessible Entrance

An accessible polling place must have at least one accessible entrance. The accessible entrance must be connected to an accessible route. An accessible entrance must provide at least one accessible door with maneuvering space, accessible door hardware, and enough clear width to allow people who use crutches, a cane, walker, scooter, or wheelchair to use it.

The following aspects of the accessible entrance for the Middlesex Town Hall were found not to be in compliance:

The main entrance to the Middlesex Town Clerk’s office is not accessible for individuals with disabilities, nor is the main entrance for the voting location within in the Town Hall as it is on the 2nd floor of the building. The only accessible route to reach either location within the Town Hall is by way of the lift which was installed in the building approximately 22 years ago according to the Town Clerk. To use the lift, one must access the lift door on the
outside of the building. There is a door bell that can be used to alert staff inside that someone is needing to use the lift. The lift door is left unlocked on Election Day. If a lift requires a key to be inserted before it is operational, consider relocating the voting area to avoid use of the lift. Otherwise, leave the key in the lift for the entire time the polling place is open, or station a volunteer, who has been trained in its operation, to operate the lift while the polling place is open.

1. ADA Standards 309.4 and 404.2.7 require that door hardware is useable with one hand without tight grasping, pinching, or twisting of the wrist. These standards are not met at the accessible lift door entrance as the hardware cannot be used without grasping, pinching or twisting of the wrist. (See Photo 5). These standards could be met by installing the appropriate hardware.

2. ADA Standard 404.2.4 requires that on the pull side of the door, there is at least 18 inches of clearance provided to the side of the latch. This standard is not met at the accessible lift door as there is not 18 inches of clearance provided to the side of the latch. (See Photo 6). This standard could be met by expanding the level landing area to create 18 inches of clearance to the side of the latch on the door.
3. ADA Standard 404.2.5 requires that the door thresholds be no higher than ½” (note: if the threshold is between ¼ inch and ½ inch it must be beveled). This standard is not met at the accessible lift door as the threshold measures approximately 2 ¼ inches high. (See Photo 7). This standard could be met by using a short ramp or wedge on both sides of the threshold to allow a voter in a wheelchair to pass over the threshold, or by beveling the threshold to meet the requirement. Doors may not have high thresholds that impede voters who use wheelchairs or other mobility devices in crossing the threshold.
4. ADA Standard 216.6 requires that inaccessible entrances have signage directing voters to the accessible entrance. The accessible entrance must remain unlocked at all times the polling place is open. This standard is not met as there are no signs at the inaccessible entrance directing voters to the accessible entrance. (See Photo 8). This standard could be met by installing appropriate signs directing voters to the accessible entrance.

![Photo 8](image)

**Interior Accessible Routes**

The interior accessible route connects the accessible entrance with the voting area. Typically made up of hallways, corridors, and interior rooms and spaces, the accessible route is essential for people who have difficulty walking or who use wheelchairs or other mobility aids to get to the voting area.

**The following aspects of the interior accessible route for the Middlesex Town Hall were found not to be in compliance:**

1. ADA Standard 404.2.8 requires that door closers shall be adjusted so that from an open position of 90 degrees, the time required to move the door to a position of 12 degrees from the latch is 5 seconds minimum. This standard is not met for the interior door on the accessible route from the lift into the voting area on the 2nd floor as the door closes in approximately 2 seconds from an open position of 90 degrees. This standard could be met by adjusting the door closing speed to meet the minimum required or by installing a new low-energy power operated door or gate.
2. ADA Standards 309.4 and 404.2.7 require that door hardware is useable with one hand without tight grasping, pinching, or twisting of the wrist. These standards are not met at the lift door on the 1st and 2nd floors as the hardware cannot be used without grasping, pinching or twisting of the wrist. (See Photos 9 and 10 below). These standards could be met by installing the appropriate hardware.

3. ADA Standard 309.4 requires that a door (with fire doors being an exception) is able to be opened with no more than 5 pounds of force. This standard is not met for the lift door on the 1st floor as it requires approximately 10 pounds of force to open (See Photo 10); for the lift door on the 2nd floor leading to and from the voting area as it requires approximately 15 pounds of force to open the door (See Photo 11), and for the accessible entrance lift door as it requires approximately 19 pounds of force to open the door (See Photo 12). This standard could be met by adjusting the force needed to open the doors or by installing new doors that meets the requirements.
Using the Polling Place

The accessible voting area must be on an accessible route and have an accessible entrance and adequate circulation and maneuvering space for voters who use wheelchairs or scooters or who walk with mobility aids.

The following aspects of the accessible voting area for the Middlesex Town Hall were found not to be in compliance:

1. ADA Standard 404.2.4 requires that on the pull side of the door, there is at least 18 inches of clearance provided to the side of the latch. DRVT did observe that the accessible voting machine was set up directly next to the lift door, thereby not allowing for a clear 18 inches of floor space on the pull side of the lift door. (See Photo 13). This standard could be met by moving the accessible voting machine to another more private area within the voting area.
Summary

DRVT would like to thank the Town of Middlesex for their participation in the completion of this accessibility survey.

Through this accessibility survey report DRVT is not guaranteeing or warranting that any aspect of your facility meets all applicable access standards or that if you adopt recommendations those identified aspects will meet access standards. DRVT’s review and report on your facility’s compliance with applicable accessibility standards is intended to alert you to potential access problems and identify potential solutions. This survey only covers areas of the building that are relevant to voting and is not a complete interpretation of requirements under the ADA. Contractors chosen and employed by you are responsible for assuring ADA access compliance. DRVT is not liable for any violations you may have now or after any renovations are finished. DRVT’s comments are recommendations and should not be interpreted as legal advice, and are not a substitute for your contractor to warrant ADA compliance. Furthermore, if your building is a historical building and is on the Historical Registry, different ADA standards may apply.

In addition to recommendations by DRVT noted throughout the report, for further information on polling place accessibility-related issues, the following organizations can be contacted:

**Vermont Secretary of State’s Office**
802-828-2363 ● 128 State Street ● Montpelier VT 05633

**Vermont Center for Independent Living (VCIL)**
800-639-1522 to obtain help and advice in selecting appropriate adaptive equipment and assistance in designing the modifications for access for individuals with disabilities.

To learn more about the *Americans with Disabilities Act* visit: [http://www.ada.gov](http://www.ada.gov).
For information about the Vermont Access Rules, visit:


Please do not hesitate to contact DRVT with any questions or comments about our survey and findings noted above.