

2023 Polling Site Accessibility Report: Hardy County, WV

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 October 25 and 26, 2023, a DRWV Advocate completed exterior accessibility monitoring of all precincts in Hardy County and this report contains our findings. The following ADA codes referenced below are the most common issues noted in this county.

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.

302.1 Floor and ground surfaces shall be stable, firm, and slip resistant and shall comply with 302. Access aisles shall be at the same level as the parking spaces they serve. Changes in level are not permitted. EXCEPTION: Slopes not steeper than 1:48 shall be permitted.

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 whereas 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

Four other valuable resources have been included for your reference:

- ADA Checklist for Polling Places <https://www.ada.gov/votingck.htm>
- The Americans with Disabilities Act and Other Federal Laws Protecting the Rights of Voters with Disabilities
https://www.ada.gov/ada_voting/ada_voting_ta.htm
- Solutions for Five Common ADA Access Problems at Polling Places
https://www.ada.gov/ada_voting/voting_solutions_ta/polling_place_solutions.htm
- ADA Quick Tips Tax Incentives <https://adata.org/factsheet/quicktips-tax>

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.

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 note that the following is a condensed version of the full accessibility report that was provided to Hardy County Election Officials.

Agriculture Building	
Issue(s)	The slope of the ramp exceeds ADA Standards (405.2). There are missing handrails on the left side of the ramp (405.8). The accessible parking space and access aisle are not clearly defined (502.2). The accessible parking signage is not displayed at the proper height (502.6).
Exhibit	 <p>The photograph shows an exterior ramp leading to a building. Three red callout boxes with arrows point to specific areas: one points to a yellow measuring tape held against a white handrail, another points to a digital sign displaying '120' mounted on a pole, and a third points to the left side of the ramp where a handrail is missing. A fourth red callout box with an arrow points to the asphalt area in front of the ramp, indicating that the parking space and access aisle are not clearly defined by painted lines.</p>
Suggestions for ADA Compliance	<p>Install painted lines to clearly define the accessible parking space and access aisle, ensuring it meets ADA size requirements for a van accessible space. Replace the existing signage with van accessible signage, ensuring it is displayed at the proper height. Adjust the ramp so the slope does not exceed 8.33% and install a handrail on the left side.</p> <p>Alternatively, if there is another entrance at this location that complies with ADA guidelines, it can be used for election day.</p>

Arkansaw Community Center	
Issue(s)	Parking facility and accessible route is unstable due to gravel (302.1, 402.2, 502.4). There is no van accessible parking space provided (502.2). The slope of the ramp exceeds ADA Standards (405.2). There is no edge protection provided on the ramp (405.9). There is not a level landing provided at the top and bottom of the ramp (405.7).

<p>Exhibit</p>	
<p>Suggestions for ADA Compliance</p>	<p>Reconstruct the existing ramp, ensuring it has stable, level landings (measured at least 60"x60") provided at the top and bottom and that the slope does not exceed 8.33%. Install a paved area for a van accessible parking space and access aisle, ensuring it meets ADA size requirements.</p>


<p>Bean Settlement Community Building</p>	
<p>Issue(s)</p>	<p>Unstable parking facility and access route (302.1, 402.2, 502.4). There is no van accessible parking space provided (502.2). The door hardware is inaccessible (309.4). There is a 1-inch lipped edge at the door's threshold (303.4). There is a 1-inch lipped edge at the top of the ramp (303.4, 405.4). The slope of the ramp exceeds ADA Standards (405.2).</p>



Suggestions for ADA Compliance

Reconstruct the existing ramp, ensuring there is no lipped edge and the slope of does not exceed 8.33%. Alternatively, a temporary ramp system that complies with ADA Standards could be installed. Install a paved area for at least one van accessible parking space and access aisle, ensuring it meets the minimum size requirements outlined in the ADA Standards. Replace the existing signage with van accessible signage displayed at the minimum required height. Utilize a wedge to resolve the lipped edge at the door threshold. Replace the inaccessible door hardware with a push, pull, or loop hardware, or prop the doors open during election day in a manner that does not obstruct the accessible route.

Church of the Brethren Fellowship Hall	
Issue(s)	The existing parking signage is not displayed at the proper height (502.6). There is no space designated as van accessible (502.2). The accessible parking spaces do not have adjoining access aisles (502.2, 502.3). The pavement on the accessible route is damaged, causing a 1/2-inch lipped edge (302.1, 402.2).

<p>Exhibit</p>	
<p>Suggestions for ADA Compliance</p>	<p>Utilize a temporary mat or bevel the lipped edge on the pavement to resolve the obstruction on the accessible route. Adjust the existing parking signage to be displayed at the proper height. Designate at least one of the accessible parking spaces to be van accessible, ensuring the appropriate signage is displayed and that it meets ADA size requirements. Install access aisles, marked in a manner that discourages parking within them.</p>

<p>Hardy County Courthouse</p>	
<p>Issue(s)</p>	<p>The accessible parking spaces in the parking facility do not have adjoining access aisles (502.2, 502.3). The access aisle near the parallel accessible parking spaces is not placed correctly (502.3). There is no accessible parking space designated as van accessible (502.2, 208.2.4). There is a 1-inch lipped edge caused by a damaged area in the pavement, at the bottom of the ramp (303.4, 405.4).</p>


Exhibit





<p>Suggestions for ADA Compliance</p>	<p>Utilize a temporary mat or repair the damaged area of the pavement to resolve the 1-inch lipped edge. Install at least one van accessible parking space, with an adjoining access aisle and appropriate signage. <i>Note: There only needs to be one van accessible parking space meeting ADA requirements. Whichever solution is most feasible would suffice.</i></p>
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<p>Hardy County Emergency Ambulance Authority</p>	
<p>Issue(s)</p>	<p>The existing accessible parking signage is not displayed at the proper height, nor is it van accessible (208.2.4, 502.6).</p>

<p>Exhibit</p>	
<p>Suggestions for ADA Compliance</p>	<p>Adjust the existing parking signage to the minimum height required by the ADA Standards and install a “van accessible” sign with it.</p>

<p>Hardy County Public Library</p>	
<p>Issue(s)</p>	<p>There is no accessible parking signage provided (502.6). There is no access aisle adjacent to the parking space (502.2, 502.3). There is no accessible route connecting the parking facility to the entrance (206.2.1). The slope of the curb ramp exceeds ADA Standards (405.2).</p>

<p>Exhibit</p>	
<p>Suggestions for ADA Compliance</p>	<p>Since there is no access aisle and no safe accessible route connecting the parking facility to the curb ramp, it may be best to identify an alternative location for the parking facility if possible. Relocation could also be a feasible option for this site.</p>

<p>Mathias-Baker Fire Dept.</p>	
<p>Issue(s)</p>	<p>The accessible parking spaces and access aisles are not clearly defined (502.3, 502.6). There is a ¾-inch lipped edge on the access route along with overgrown weeds causing an obstruction for the path of travel (302.1, 303.4). There is a 1-inch lipped edge at the entrance door (303.4)</p>


Exhibit



Suggestions for ADA Compliance

Clearly define the accessible parking spaces and access aisles using striped lines or temporary measures, ensuring at least one meets requirements to be a van accessible space. Resolve the lipped edges on the pavement by ramping them or utilizing temporary measures, such as a mat or wedge.

Mathias Old School House

Issue(s)	No accessible parking signage is displayed (502.6). The accessible parking space does not have an access aisle, nor is it designated to be van accessible (502.2, 502.3). There are damaged areas in the pavement where the accessible parking space is located (302.1, 502.4). There is a 1 and ½-inch lipped edge at the entrance door (303.4).
Exhibit	
Suggestions for ADA Compliance	Ramp the 1 and ½-inch lipped edge at the door or utilize a temporary wedge to resolve it. Relocate the accessible parking space, ensuring it is located on a level, paved area. Ensure the accessible space has an access aisle, to the size requirements outlined in the ADA Standards and marked in a manner that would discourage parking within it. Install van accessible parking signage.

Old Fields Baptist Church	
Issue(s)	The parking facility and access route is unstable (302.1, 502.4). The accessible parking signage is not displayed at the proper height (502.6). The ramp does not have handrail extensions or edge protection (405.8, 405.9). The slope of the ramp (first section) exceeds ADA Standards (405.2). There are damaged areas on the ramp, causing an unstable surface (405.4).

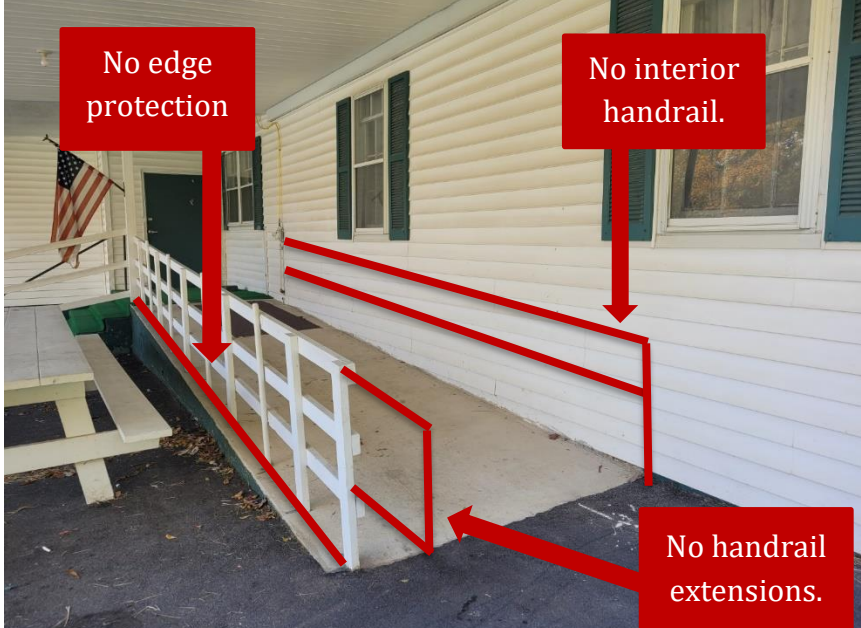
<p>Exhibit</p>	
<p>Suggestions for ADA Compliance</p>	<p>Reconstruct the existing ramp, ensuring the surface is stable and the slope of does not exceed 8.33%. Alternatively, a temporary ramp system that complies with ADA Standards could be installed. Install a paved area for at least one van accessible parking space and access aisle, ensuring it meets the minimum size requirements outlined in the ADA Standards. Replace the existing signage with van accessible signage displayed at the minimum required height.</p>

<p>Peru Community Center</p>	
<p>Issue(s)</p>	<p>1st Photo – There is not a van accessible parking space or access aisle provided (502.2, 502.3). The slope of the accessible route (7.3%) exceeds ADA Standards (402.2). The door hardware is inaccessible (309.4) 2nd Photo – There are 1-inch openings on the access route (302.1, 402.2). There is a ¾-inch lipped edge at the top of the access route (303.4). The slope of the ramped section at the top of the accessible route (19.2%) exceeds ADA Standards (405.2, 405.7).</p>

Exhibit



Suggestions for ADA Compliance	Install one van accessible parking space and access aisle within the paved area, ensuring it meets size requirements outlined in the ADA Standards. Install van accessible parking signage to the minimum required height. Utilize mats or repair the gaps in the pavement, to resolve the 1-inch openings on the access route. The slope of the sidewalk exceeds ADA Standards for an accessible route (max 5%); However, the slope is within the required range for a ramp (max 8.33%). Therefore, if proper handrails are installed, it would be in compliance with ADA Standards. Additionally, the slope of the top ramp portion (seen in photo 2) exceeds ADA Standards and there is a ¾-inch lipped edge; This section must either be reconstructed or resolved using temporary measures.
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Rig Civic Center	
Issue(s)	1st Photo – Ramp does not have an interior handrail, handrail extensions, or edge protection (405.8, 405.9, 505.10.1). 2nd Photo – Ramp does not have an interior handrail or handrail extensions, and the slope of the ramp exceeds ADA Standards (405.2, 405.8, 505.10.1). There is a ¾-inch lipped edge at the door (303.4). 3rd Photo – No van accessible parking provided (502.2).
Exhibit	

	<p>No handrail extensions.</p> <p>No interior handrail.</p> <p>150</p> <p>No accessible parking spaces.</p>
<p>Suggestions for ADA Compliance</p>	<p>Address the issues identified with whichever ramp will be utilized during election day. Install at least one van accessible parking space and access aisle, with appropriate signage.</p>

War Memorial Building

<p>Issue(s)</p>	<p>There is no van accessible parking provided (502.6). The slope of the ramp exceeds ADA Standards (405.2). There is no edge protection provided on the ramp, there are missing handrails on the left side, and there are no handrail extensions (405.8, 405.9, 505.10.1). There is debris on the accessible route causing an obstruction to travel (402.2). The door hardware is inaccessible (309.4).</p>
<p>Exhibit</p>	<p>Debris obstructing route.</p> <p>Missing handrail, edge protection, and handrail extensions.</p> <p>No accessible parking provided.</p>

Suggestions for ADA Compliance	Reconstruct the existing ramp, ensuring the slope of does not exceed 8.33% and handrails are properly installed complying with ADA Standards. Alternatively, a temporary ramp system that complies with ADA Standards could be installed. Install at least one van accessible parking space and access aisle, with appropriate signage. Ensure the paved space selected for the parking space does not have any obstructions and is level in all directions. Replace the existing inaccessible door hardware with a push, pull, or loop hardware, or prop the door open during election hours. Clear the overgrowth and debris from the accessible route.
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Wardensville Visitors Center	
Issue(s)	There is no accessible parking signage displayed, nor is the space designated to be van accessible (208.2.4, 502.2). While the access aisle does extend the full length of the parking spaces, it does not consistently measure at least 60" wide (502.3). There are damaged areas and overgrowth in the pavement, causing obstructions on the accessible route and within the accessible parking space (302.1, 502.4). The slope of the ramp exceeds ADA Standards and there is no level landing provided where the ramp changes direction (405.2, 405.7).

Exhibit



Access aisle does not measure at least 60" consistently.



Debris obstructing parking and access aisle.



Suggestions for ADA Compliance

Reconfigure the access aisle, ensuring it meets the minimum size requirements as outlined in the ADA Standards. Install van accessible parking signage. Repair the damaged areas in the pavement, clearing all debris and resolving the lipped edges. Alternatively, temporary measures such as mats could be used if they do not conform to the unstable surface. Reconstruct the ramp and address the issues identified or utilize a temporary ramp that complies with ADA Standards on election day at the side entrance.

Disability Rights of WV strives to ensure all polling sites in West Virginia are accessible for voters with disabilities. If you have accessibility concerns about your polling site or would like your polling site to be evaluated for accessibility, please contact our office via email pava@drowv.org or by calling 304-346-0847.