

**SETTLEMENT AGREEMENT**

**BETWEEN**

**THE UNITED STATES OF AMERICA**

**AND**

**THE CITY OF MEMPHIS, TENNESSEE**

**UNDER THE AMERICANS WITH DISABILITIES ACT**

**DJ# 204-72-49**

**I. BACKGROUND**

1. The parties to this Settlement Agreement (“Agreement”) are the United States of America and the City of Memphis, Tennessee (“Memphis”), a public entity that owns Liberty Bowl Memorial Stadium (“Liberty Bowl”) located at 335 S. Hollywood Street, Memphis, Tennessee.
2. This matter was initiated as a compliance review by the United States Department of Justice (“Department” or “United States”) of Memphis concerning the accessibility of Memphis’s facilities, services, programs, and activities under Title II of the Americans with Disabilities Act of 1990 (“ADA” and “Title II”), 42 U.S.C. § 12131-12134, and its implementing regulation, 28 C.F.R. pt. 35. This Agreement applies only to the Liberty Bowl as described in Paragraph 3 below.
3. The Liberty Bowl is situated at the Mid-South Fairgrounds in Memphis, Tennessee, and predominately hosts college football games and events, including the AutoZone Liberty Bowl, Southern Heritage Classic, and the University of Memphis Tigers’ home games. For purposes of this Agreement, the Liberty Bowl consists of the stadium, all elements

within the stadium, and all site arrival points, including parking, passenger loading zones, bus stops, and tail-gating areas (e.g., Tiger Lane) adjacent to the stadium and used in conjunction with events held at the Stadium.

4. The United States and Memphis agree that it is in the parties' best interests, and in the public interest, to resolve these allegations without litigation.
5. In consideration of, and consistent with, the terms of this Agreement, the Attorney General agrees to refrain from filing a civil lawsuit concerning the items identified in Paragraphs 12-15, 19-28, and Exhibit A relating to the Liberty Bowl, except as provided in the section entitled "Reporting, Implementation, and Enforcement."

## **II. JURISDICTION**

6. Memphis, an incorporated municipality located in Shelby County, Tennessee, is a "public entity" within the meaning of the ADA, 42 U.S.C. § 12131, and 28 C.F.R. § 35.104, and is therefore subject to Title II of the ADA and its implementing regulation.
7. Pursuant to Title II, no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such public entity. 42 U.S.C. § 12132; 28 C.F.R. § 35.130.
8. Pursuant to Title II and its implementing regulation, and as applicable here, no qualified individual with a disability shall, because a public entity's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, or activities of a public entity, or be subject to discrimination by any public entity. 42 U.S.C. § 12134; 28 C.F.R. § 35.149.

9. Pursuant to Title II and its implementing regulation, and as applicable here, a public entity is required to operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. 42 U.S.C. § 12134; 28 C.F.R. § 35.150.
10. Pursuant to Title II and its implementing regulation, and as applicable here, if an alteration was commenced after July 26, 1992, each facility or part of a facility altered by, on behalf of, or for the use of a public entity in a manner that affects or could affect the usability of the facility or part of the facility shall, to the maximum extent feasible, be altered in such manner that the altered portion of the facility is readily accessible to and usable by individuals with disabilities. 42 U.S.C. § 12134; 28 C.F.R. § 35.151(b).
11. The Department is authorized under 28 C.F.R. Part 35, Subpart F, to determine Memphis' compliance with Title II of the ADA and the Title II's implementing regulation, to issue findings, and, where appropriate, to negotiate and secure voluntary compliance agreements. Furthermore, the Attorney General is authorized, under 42 U.S.C. § 12133, to bring a civil action enforcing Title II of the ADA.

### **III. TERMS OF THE AGREEMENT**

#### **A. Alterations, Additions, and Modifications**

12. Any alterations or additions, as described in 28 C.F.R. §§ 35.150 and .151, completed at the Liberty Bowl after the Effective Date of this Agreement (e.g., renovation of suites, press boxes, gates, toilet rooms, etc.), and modifications made pursuant to this Agreement, will comply in all respects with Title II of the ADA, 42 U.S.C. §§ 12131-12134, its implementing regulation, 28 C.F.R. pt. 35, and the 2010 ADA Standards for

Accessible Design, consisting of the requirements contained in 28 C.F.R. § 35.151 and the 2004 ADA Accessibility Guidelines at 36 C.F.R. part 1191, Appendices B and D (collectively, “2010 Standards”).

13. By September 1, 2013, Memphis will modify the Liberty Bowl pursuant to Paragraphs 19 through 28 below. Within one (1) year of the Effective Date of this Agreement, Memphis will modify the Liberty Bowl to remedy the violations identified in Exhibit A. The modifications and remediation will comply with Paragraph 12 of this Agreement.
14. In the event that Memphis has already undertaken an alteration, addition, or other modification to any element identified in Exhibit A or otherwise in the Liberty Bowl after January 26, 1992 and prior to the Effective Date of this Agreement, Memphis will submit, within six (6) months, a written report to the Department pursuant to Paragraph 29 below summarizing the actions taken and providing evidence establishing each individual element’s compliance with the applicable architectural standard as permitted by 28 C.F.R. § 35.151(c) and its Appendix, copied below:

<b>Compliance Date for New Construction or Alterations</b>	<b>Applicable Standards</b>
Before September 15, 2010	1991 Standards or UFAS
On or after September 15, 2010, and before March 15, 2012	1991 Standards, UFAS, or 2010 Standards
On or after March 15, 2012	2010 Standards

15. Related to the Liberty Bowl, Memphis will ensure that no qualified individual with a disability will be excluded from participation in, or be denied the benefits of its services,

programs, or activities, or be subjected to discrimination. 42 U.S.C. § 12134; 28 C.F.R. § 35.149.

**B. Independent Licensed Architect**

16. Memphis will retain an Independent Licensed Architect (“ILA”) knowledgeable about the architectural accessibility requirements of the ADA. This ILA, paid by Memphis without regard to outcome and pre-approved by the United States, must certify compliance with the applicable standard pursuant to 28 C.F.R. § 35.151(c) and the Appendix to 28 C.F.R. § 35.151(c) (copied in Paragraph 14 above) for (a) all of the modifications identified in Paragraphs 19 through 28 and the remediation of the violations identified in Exhibit A of this Agreement and (b) any other alteration, addition, or modification made by Memphis to the Liberty Bowl during the term of this Agreement.
17. In issuing certifications pursuant to this Agreement, the ILA will prepare reports with photographs identifying that the violation has been remediated and will use the certification form at Exhibit B. A separate report with pictures and a separate certification form will be used for the remediation of each violation identified in Exhibit A and any element that has been or will be altered pursuant to this Agreement. The ILA will be considered a neutral inspector for purposes of issuing certifications of compliance and will be available to the United States, with notice to Memphis, to discuss findings in the reports, photographs, and certifications. The United States may also, in its discretion and upon notice to Memphis, provide technical assistance to the ILA throughout the term of this agreement.

18. Memphis will submit ILA certifications along with its reporting requirements as set forth in this Agreement.

**C. Wheelchair Spaces**

19. Within one (1) year from the Effective Date of this Agreement, Memphis will provide wheelchair spaces and companion seats at the Liberty Bowl that comply with Title II, its implementing regulation, the 2010 Standards, and as set forth in Paragraphs 20 through 28 below.

*i. Number of Wheelchair Spaces, Horizontal Dispersal, Vertical Dispersal, and Integral Part*

20. Memphis will install two hundred and thirty-four (234) wheelchair spaces and two hundred and thirty-four (234) companion seats surrounding the entire perimeter of current Row 25 of the Liberty Bowl that comply with the 2010 Standards §§ 221 and 802 and Exhibit C (consisting of drawings entitled Liberty Bowl Memorial Stadium Accessibility Enhancements, Overall Plan, A-2).
21. Memphis will install an additional forty-eight (48) wheelchair spaces and forty-eight (48) companion seats complying with 2010 Standards §§ 221 and 802, Exhibit C, and as described here:
  - a. Twelve (12) wheelchair spaces and twelve (12) companion seats will be located in the South seating upper concourse on the Press Box side (Home Side) in Sections 102 and 103;

- b. Twelve (12) wheelchair spaces and twelve (12) companion seats will be located in the South seating upper concourse on the Press Box side (Home Side) in Sections 105 and 106;
- c. Twelve (12) wheelchair spaces and twelve (12) companion seats will be located in the North seating upper concourse on the Suites side (Visitor Side) in Sections 118 and 119;
- d. Twelve (12) wheelchair spaces and twelve (12) companion seats will be located in the North seating upper concourse on the Suites side (Visitor Side) in Sections 121 and 122.

*See Exhibit C.*

- 22. Memphis will install additional wheelchair spaces and companion seating, as required by Paragraph 12 of this Agreement and the 2010 Standards, in renovated, added, or altered seating areas, such as the suites and press boxes.

***ii. Wheelchair Spaces***

- 23. Wheelchair spaces will comply with 2010 Standards § 802.1.
  - a. The floor or ground surface of wheelchair spaces will comply with 2010 Standards § 302, including the requirement that such floor or ground surface is stable, firm, and slip resistant. Changes in level are not permitted.
  - b. A single wheelchair space will be a minimum of 36 inches wide. Where two adjacent wheelchair spaces are provided, each wheelchair space will be a minimum of 33 inches wide.

- c. If a wheelchair space can be entered from the front or rear, then the wheelchair space will be a minimum of 48 inches deep. If a wheelchair space can be entered only from the side, then the wheelchair space will be a minimum of 60 inches deep.
- d. Wheelchair spaces must adjoin accessible routes. The accessible routes will not overlap wheelchair spaces.
- e. Wheelchair spaces will not overlap circulation paths.

**iii. *Lines of Sight***

- 24. Lines of sight to the playing field and performance area for spectators in wheelchair spaces will comply with 2010 Standards § 802.2.2 for lines of sight over standing spectators.

**iv. *Companion Seats***

- 25. Companion seats will comply with 2010 Standards § 802.3.
- 26. Companion seats will be located to provide shoulder alignment with adjacent wheelchair spaces. The shoulder alignment point of the wheelchair space will be measured 36 inches from the front of the wheelchair space. The floor surface of the companion seat will be at the same elevation as the floor surface of the wheelchair space.
- 27. Companion seats will be at least equivalent in size, quality, comfort, and amenities to the seating in the immediate area (e.g., companion seating near the chair-back seats will have chair-backs). Companion seats may be movable.



v. ***Routes and Circulation Paths to Wheelchair Spaces***

28. Changes in level from accessible routes and circulation paths to wheelchair spaces will comply with 2010 Standards § 303, including the following:
- a. Abrupt changes in level up to ¼ inch high are permitted;
  - b. Changes in level between ¼ inch high minimum and ½ inch high maximum will be beveled with a slope not steeper than 1:2.
  - c. A change in level of ½ inch may be ¼ inch vertical plus ¼ inch beveled.
- However, the combined change in level may not exceed ½ inch from accessible routes and circulation paths to wheelchair spaces.

**IV. REPORTING, IMPLEMENTATION, AND ENFORCEMENT**

29. Within six (6) months of the Effective Date of this agreement, and annually thereafter, Memphis will submit written reports to the Department summarizing its actions pursuant to this Agreement. Reports will include detailed photographs showing measurements, architectural plans, ILA certifications, work orders, notices published in the newspaper, etc.
30. Throughout the term of this Agreement, consistent with 28 C.F.R. § 35.133(a), Memphis will maintain the accessibility of its programs, activities, services, facilities, and equipment, and will take whatever actions are necessary to do so, such as routine testing of accessibility equipment and routine accessibility audits of its programs and facilities. However, there may be isolated or temporary interruptions in service or access due to maintenance or repairs. 28 C.F.R. § 35.133(b).

31. If at any time Memphis desires to modify any portion of this Agreement because of changed conditions making performance impossible or impractical or for any other reason, it will promptly notify the Department in writing, setting forth the facts and circumstances thought to justify modification and the substance of the proposed modification. Until there is written Agreement by the Department to the proposed modification, the proposed modification will not take effect. These actions must receive the prior written approval of the Department, which approval will not be unreasonably withheld or delayed.
32. The Department may review compliance with this Agreement at any time. If the Department believes that Memphis has failed to comply in a timely manner with any requirement of this Agreement, the Department will notify Memphis in writing and it will attempt to resolve the issue in good faith. If the Department is unable to reach a satisfactory resolution of the issue within 30 days of the date it notifies Memphis, it may institute a civil action in federal district court to enforce the terms of this Agreement or to enforce Title II.
33. For purposes of Paragraph 32, it is a violation of this Agreement for Memphis to fail to comply in a timely manner with any of its requirements without obtaining advance written agreement with the Department for an extension of the relevant time frame imposed by the Agreement.
34. Failure by the Department to enforce any provision of this Agreement will not be construed as a waiver of the Department's right to enforce other provisions of this Agreement.

35. This Agreement is a public document. A copy of this Agreement will be made available to any person by Memphis on request.
36. This Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or agents of either party, that is not contained in this written Agreement, including its Exhibits, will be enforceable. This Agreement does not purport to remedy any other potential violations of the ADA or any other federal law. This Agreement does not affect Memphis's continuing responsibility to comply with all aspects of the ADA.
37. All terms used in this agreement that are defined in the Title II regulation, 28 C.F.R. pt. 35 and the 2010 Standards will have the definition and meaning used in the Title II regulation and the 2010 Standards. Similarly, to the extent the 1991 Standards may apply to a particular element subject to a safe harbor because the element was constructed, altered, added, or modified before March 15, 2012, the definitions and meanings in the 1991 Standards, as applicable, will apply.
38. Each of the parties to this Agreement will bear its own costs and expenses associated with, or arising from, its performance of obligations under this Agreement.
39. All items sent to the United States will be sent by electronic mail or by common carrier Federal Express, UPS, or DHL and addressed as follows: Disability Rights Section, Attn: William Lynch, Trial Attorney, DJ# 204-72-49, U.S. Department of Justice, Disability Rights Section, 1425 New York Avenue, N.W., Fourth Floor, Washington, D.C. 20005.
40. This Agreement will remain in effect for three (3) years.

41. The person signing for Memphis represents that he or she is authorized to bind Memphis to this Agreement.

42. The effective date of this Agreement ("Effective Date") is the date of the last signature below.

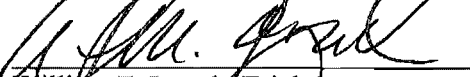
Executed this 24<sup>th</sup> <sup>January</sup> day of ~~October~~, 2013

For the United States of America:

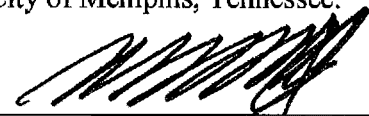
Edward L. Stanton, III  
United States Attorney

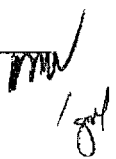
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Assistant Attorney General  
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For the City of Memphis, Tennessee:

  
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Mayor A.C. Wharton, Jr.  
City of Memphis  
125 N. Main Street, Room 700  
Memphis, Tennessee 38103





## EXHIBIT A<sup>1</sup>

### A. Lower Level Concourse

#### 1) Route

- a) The route to the Lower Level Concourse is inaccessible because the slope at the Men's Toilet Room #5 is 6.3% without required ramp features. 1991 Standards §§ 4.1.3(1), 4.1.6(1)(b), 4.3, 4.5, Fig. 7.

#### 2) Concession Stand

- a) The Concession Counter at the Lower Level Concourse is inaccessible because the inner counter is mounted 40 inches high, while the lower counter is mounted at 38 inches above the finished floor. 1991 Standards §§ 4.1.1(2), 4.1.6(1)(b), 7.2(1), 4.1.3(1), 4.3.

### B. Gate 6 (only accessible entrance)

#### 1) Route

- a) The Gate 6 entrance is inaccessible because there is a slope of 5.5% without required ramp features. 1991 Standards §§ 4.1.3(1), 4.1.6(1)(b), 4.3, 4.5, Fig. 7.
- b) The ramp is inaccessible because it has no edge protection. 1991 Standards §§ 4.1.2(1), 4.1.2(2), 4.1.6(1)(b), 4.3.8, 4.8.7.
- c) The ramp is inaccessible because it lacks a second handrail and lacks level handrail extensions at the top and bottom. 1991 Standards §§ 4.1.2(1), 4.1.2(2), 4.1.6(1)(b), 4.8.5.
- d) The route from Gate 6 is inaccessible because the condiment shelves and the arches without guardrails are protruding objects. 1991 Standards §§ 4.1.2(3), 4.1.6(1)(b), 4.4.

### C. V-2 Location

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<sup>1</sup> Note that Exhibit A references the 1991 Standards; however, under all circumstances, the requirements set out in Paragraphs 12-15 of the Settlement Agreement govern remediation of the violations in Exhibit A.

1) Route

- a) The V-2 location is inaccessible because it has a slope of 7.1%, the route was not constructed as a ramp, and there are openings in the grates of more than 0.5 inches in the direction of travel. 1991 Standards §§ 4.1.3(1), 4.1.6(1)(b), 4.3, 4.5, Fig. 7, Fig. 8(h).

D. Elevators

1) Press Box South

- a) The elevator is inaccessible because the hall call button is centered at 38 inches. 1991 Standards §§ 4.1.3(5), 4.1.6(1)(b), 4.10.3, Fig. 20.
- b) The elevator is inaccessible because there is no Braille on the hoistway signage. 1991 Standards §§ 4.1.3(5), 4.1.6(1)(b), 4.10.5, Fig. 20.
- c) The elevator is inaccessible because the door does not reopen without contact, and starts to close less than 5 seconds after notification. 1991 Standards §§ 4.1.3(5), 4.1.6(1)(b), 4.10.6, 4.10.7, 4.10.8, Figs. 20, 21.

2) Press Box North

- a) The elevator is inaccessible because the hall call buttons are centered at 38 inches. 1991 Standards §§ 4.1.3(5), 4.1.6(1)(b), 4.10.3, Fig. 20.
- b) The elevator is inaccessible because there is no Braille on the hoistway signage. 1991 Standards §§ 4.1.3(5), 4.1.6(1)(b), 4.10.5, Fig. 20.
- c) The elevator is inaccessible because the door does not reopen without contact, and doors start to close less than 5 seconds after notification. 1991 Standards §§ 4.1.3(5), 4.1.6(1)(b), 4.10.6, 4.10.7, 4.10.8, Figs. 20, 21.

3) Sky Box

- a) The elevator is inaccessible because the hall call buttons are

centered at 38 inches. 1991 Standards §§ 4.1.3(5), 4.1.6(1)(b), 4.10.3, Fig. 20.

- b) The elevator is inaccessible because there are no Braille characters provided on the hoistway signage. 1991 Standards §§ 4.1.3(5), 4.1.6(1)(b), 4.10.5, Fig. 20.
- c) The elevator is inaccessible because the door does not reopen without contact, and stays open less than 5 seconds after notification. 1991 Standards §§ 4.1.3(5), 4.1.6(1)(b), 4.10.6, 4.10.7, 4.10.8, Figs. 20, 21.

E. Stadium Club Level Press Box

- 1) The Stadium Club Level Press Box is inaccessible to people with hearing impairments because although there are 50 or more fixed seats, there is no assistive listening system. 28 C.F.R. § 35.160; 1991 Standards §§ 4.1.3(19)(b), 4.1.6(1)(b), 4.30, 4.33.
- 2) The Stadium Club Level Press Box containing 250 seats is inaccessible because no wheelchair seating areas have been provided. 1991 Standards §§ 4.1.3(19)(a), 4.1.6(1)(b), 4.5, 4.33.

F. Stadium Club (VIP Lounge)

- 1) The ramp is inaccessible because no handrails have been provided. Provide handrails that are between 1¼ inches and 1½ inches in diameter with a continuous gripping surface along both sides of the ramp, extending at least 12 inches beyond the top and bottom of the ramp parallel with the ground surface. 1991 Standards §§ 4.1.2(1), 4.1.2(2), 4.1.6(1)(b), 4.8.5.
- 2) The Stadium Club (VIP Lounge) containing 132 fixed seats is inaccessible because no wheelchair seating areas have been provided. 1991 Standards §§ 4.1.3(19)(a), 4.1.6(1)(b), 4.5, 4.33.

G. City of Memphis Room

- 1) The Counter, and the shelf at the City of Memphis Room is inaccessible because it is mounted too high above the finished floor. 1991 Standards §§ 4.1.1(2), 4.1.6(1)(b), 7.2(2), 4.1.3(1), 4.3.
- 2) The faucets are inaccessible because the controls are mounted at too high above the finished floor. 1991 Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.2,

4.27.3, 4.2.4, 4.2.5, 4.2.6.

- 3) No accessible coat hook has been provided. 1991 Standards §§ 4.1.3(12)(a), 4.1.6(1)(b), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.

H. Suite 207

- 1) The Counter at Suite 207 is inaccessible because it is mounted too high, and is out of the reach of people who use wheelchairs. 1991 Standards §§ 4.1.1(2), 4.1.6(1)(b), 7.2(2), 4.1.3(1), 4.3.
- 2) The faucet controls are inaccessible because the controls are mounted too high above the finished floor. 1991 Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6.

I. Ramp

- 1) V-6
  - a) The ramp is inaccessible because no handrails have been provided. Provide handrails that are between 1¼ inches and 1½ inches in diameter with a continuous gripping surface along both sides of the ramp, extending at least 12 inches beyond the top and bottom of the ramp parallel with the ground surface. 1991 Standards §§ 4.1.2(1), 4.1.2(2), 4.1.6(1)(b), 4.8.5.
  - b) The ramp is inaccessible because no edge protection has been provided. 1991 Standards §§ 4.1.2(1), 4.1.2(2), 4.1.6(1)(b), 4.3.8, 4.8.7.
- 2) V-4
  - a) The ramp is inaccessible because no edge protection has been provided. 1991 Standards §§ 4.1.2(1), 4.1.2(2), 4.1.6(1)(b), 4.3.8, 4.8.7.
  - b) The ramp is inaccessible because the slope is 9.7%. 1991 Standards §§ 4.1.2(1), 4.1.2(2), 4.1.6(1)(b), 4.3.8, 4.8.
- 3) V-9
  - a) The ramp is inaccessible because no handrails have been provided. 1991 Standards §§ 4.1.2(1), 4.1.2(2), 4.1.6(1)(b), 4.8.5.



- b) The ramp is inaccessible because no edge protection has been provided. 1991 Standards §§ 4.1.2(1), 4.1.2(2), 4.1.6(1)(b), 4.3.8, 4.8.7.
- c) The ramp is inaccessible because the slope is 9.7%. 1991 Standards §§ 4.1.2(1), 4.1.2(2), 4.1.6(1)(b), 4.3.8, 4.8.
- d) The ramp is inaccessible because the mini ramp to the seating area has a slope of 9.6%. 1991 Standards §§ 4.1.2(1), 4.1.2(2), 4.1.6(1)(b), 4.3.8, 4.8.

4) V-11

- a) The ramp is inaccessible because no edge protection has been provided. 1991 Standards §§ 4.1.2(1), 4.1.2(2), 4.1.6(1)(b), 4.3.8, 4.8.7.
- b) The ramp is inaccessible because the slope is 10.5%. 1991 Standards §§ 4.1.2(1), 4.1.2(2), 4.1.6(1)(b), 4.3.8, 4.8.

5) V-19

- a) The ramp is inaccessible because no edge protection has been provided. 1991 Standards §§ 4.1.2(1), 4.1.2(2), 4.1.6(1)(b), 4.3.8, 4.8.7.
- b) The ramp is inaccessible because the slope is 10.7%. 1991 Standards §§ 4.1.2(1), 4.1.2(2), 4.1.6(1)(b), 4.3.8, 4.8.

J. Lower Concourse

1) Women's Toilet Room - #1A, 2A, 5A, 6A (stalls)

- a) There is no accessible sign at each Women's Toilet Room. 1991 Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6.
- b) The door to each Women's Toilet Room is inaccessible because the pressure required to open the door is greater than 5 pounds. 1991 Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.11(2)(b).
- c) The paper towel dispenser in each toilet room is inaccessible because its hardware requires tight grasping to operate. 1991

Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.4.

- d) Designated accessible standard stall – for each toilet room:
    - (1) The toilet is inaccessible because the top of the seat is not between 17 and 19 inches above the finished floor. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.3, 4.17.2, Fig. 30(d).
    - (2) The toilet is inaccessible because its centerline does not measure 18 inches from the side wall. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.3, Fig. 30.
    - (3) No accessible coat hook has been provided. 1991 Standards §§ 4.1.3(12)(a), 4.1.6(1)(b), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.
    - (4) The appropriate grab bars have not been provided in the standard accessible stall in each toilet room. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.6, 4.26.2, Fig. 30.
    - (5) The toilet paper dispenser is inaccessible because it would interfere with the use of properly installed grab bars. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.3, Fig. 30(d).
  - e) Although there are 6 or more stalls in each toilet room, there is no ambulatory stall provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, Fig. 30(d).
  - f) The route near the drinking fountain in the Women's Toilet Room is inaccessible because the fountain is not detectable to a person who is blind or has low vision using a cane. 1991 Standards §§ 4.1.2(3), 4.1.6(1)(b), 4.4.
- 2) Men's Toilet Room - #1, 2, 5, 6 (stalls) – for each toilet room:
- a) There are no accessible signs for the Men's Toilet rooms. 1991 Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6.
  - b) The door to the Men's Toilet room is inaccessible because the pressure required to open the door is greater than 5 pounds. 1991

Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.11(2)(b).

- c) The paper towel dispenser is inaccessible because the hardware requires tight grasping to operate. 1991 Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.4.
- d) Designated accessible standard toilet stall – for each toilet room:
  - (1) The toilet is inaccessible because the top of the seat is not 17-19 inches above the finished floor. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.3, 4.17.2, Fig. 30(d).
  - (2) The toilet is inaccessible because its centerline is not 18 inches from the side wall. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.3, Fig. 30.
  - (3) No accessible coat hook has been provided. 1991 Standards §§ 4.1.3(12)(a), 4.1.6(1)(b), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.
  - (4) The appropriate grab bars have not been provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.6, 4.26.2, Fig. 30.
  - (5) The toilet paper dispenser is inaccessible because as mounted, it would interfere with properly installed grab bars. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.3, Fig. 30(d).
- e) Although there are more than 6 stalls, there is no ambulatory stall provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, Fig. 30(d).
- f) The entrance door, which is accessed from the latch side of the door, is inaccessible because it has insufficient maneuvering space on the pull side. 1991 Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.6, Fig. 25(c).
- g) The lavatory is inaccessible because it is mounted too low. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.2, 4.19.3, 4.19.4, 4.19.5, 4.27.4, Figs. 31, 32.
- h) The route within the toilet room is inaccessible because the shelves

are protruding objects. 1991 Standards §§ 4.1.2(3), 4.1.6(1)(b), 4.4.

3) Women's Toilet Room - #3A (stalls)

- a) The Women's Toilet Room does not have an accessible sign. 1991 Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6.
- b) The Women's Toilet Room Door is inaccessible because the pressure required to open the door is greater than 5 pounds. 1991 Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.11(2)(b).
- c) The light switch is inaccessible because the controls are mounted more than 48 inches above the finished floor. 1991 Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6.
- d) The paper towel dispenser is inaccessible because the hardware requires tight grasping to operate. 1991 Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.4.
- e) Designated accessible standard toilet stall:
  - (1) The toilet is inaccessible because its centerline is not 18 inches from the side wall. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.3, Fig. 30.
  - (2) No accessible coat hook has been provided. 1991 Standards §§ 4.1.3(12)(a), 4.1.6(1)(b), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.
  - (3) The grab bars at the toilet are inaccessible because non-compliant bars have been provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.6, 4.26.2, Fig. 30.
- f) Although there are more than 6 stalls, there is no ambulatory stall provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, Fig. 30(d).
- g) The route within the toilet room is inaccessible because the shelves and the soap dispenser are protruding objects. 1991 Standards §§ 4.1.2(3), 4.1.6(1)(b), 4.4.

4) Women's Toilet Room - #A (stalls)

- a) There is no accessible toilet room sign. 1991 Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6.
  - b) The door to the Women's Toilet Room is inaccessible because the pressure required to open the door is greater than 5 pounds. 1991 Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.11(2)(b).
  - c) The paper towel dispenser is inaccessible because the controls are mounted out of the reach of people who use wheelchairs. 1991 Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6.
  - d) The paper towel dispenser is inaccessible because the hardware requires tight grasping to operate. 1991 Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.4.
  - e) Designated accessible standard toilet stall:
    - (1) The toilet is inaccessible because its centerline does not measure 18 inches from the side wall. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.3, Fig. 30.
    - (2) No accessible coat hook has been provided. 1991 Standards §§ 4.1.3(12)(a), 4.1.6(1)(b), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.
    - (3) The grab bars at the toilet are inaccessible because non-compliant bars have been provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.6, 4.26.2, Fig. 30.
  - f) Although there are more than 6 stalls, there is no ambulatory stall provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, Fig. 30(d).
  - g) The route within the toilet room is inaccessible because the selves and the lavatory are protruding objects. 1991 Standards §§ 4.1.2(3), 4.1.6(1)(b), 4.4.
- 5) Men's Toilet Room - #3 (stalls)
- a) There is no accessible toilet room sign. 1991 Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6.

- b) The paper towel dispenser is inaccessible because the hardware requires tight grasping to operate. 1991 Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.4.
- c) The paper towel dispenser is inaccessible because the controls are mounted at more than 44 inches above the finished floor over a 20 inch forward reach. 1991 Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6.
- d) Designated accessible standard toilet stall:
  - (1) The toilet is inaccessible because the top of the seat is 16 inches above the finished floor. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.3, 4.17.2, Fig. 30(d).
  - (2) The toilet is inaccessible because its centerline is not 18 inches from the side wall. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.3, Fig. 30.
  - (3) No accessible coat hook has been provided. 1991 Standards §§ 4.1.3(12)(a), 4.1.6(1)(b), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.
  - (4) The grab bars at the toilet are inaccessible because non-compliant bars have been provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.6, 4.26.2, Fig. 30.
  - (5) The toilet paper dispenser is inaccessible because as mounted it would interfere with properly mounted grab bars. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.3, Fig. 30(d).
- e) Although there are more than 6 stalls, there is no ambulatory stall provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, Fig. 30(d).
- f) The urinal is inaccessible because the rim is mounted 18 inches high, with flush controls at 46 inches high. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.5, 4.18.2, 4.18.3, 4.18.4.
- g) The route within the toilet room is inaccessible because the lavatory is a protruding object. 1991 Standards §§ 4.1.2(3),

4.1.6(1)(b), 4.4.

6) Men's Toilet Room - #4 (stalls)

- a) There is no accessible toilet room sign. 1991 Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6.
- b) The route within the toilet room is inaccessible because the soap dispenser is a protruding object. 1991 Standards §§ 4.1.2(3), 4.1.6(1)(b), 4.4.
- c) The paper towel dispenser is inaccessible because the hardware requires tight grasping to operate. 1991 Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.4.
- d) The urinal is inaccessible because the flush control is mounted 46 inches high. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.5, 4.18.2, 4.18.3, 4.18.4.
- e) Designated accessible standard toilet stall:
  - (1) The toilet is inaccessible because the top of the seat is 16 inches above the finished floor. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.3, 4.17.2, Fig. 30(d).
  - (2) The toilet is inaccessible because its centerline is 18 inches from the side wall. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.3, Fig. 30.
  - (3) No accessible coat hook has been provided. 1991 Standards §§ 4.1.3(12)(a), 4.1.6(1)(b), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.
  - (4) The grab bars at the toilet are inaccessible because non-compliant bars have been provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.6, 4.26.2, Fig. 30.
- f) Although there are more than 6 stalls, there is no ambulatory stall provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, Fig. 30(d).
- g) The route within the toilet room is inaccessible because the lavatory is a protruding object. 1991 Standards §§ 4.1.2(3),

4.1.6(1)(b), 4.4.

K. Press Box unisex toilet room

- 1) There is no accessible toilet room sign. 1991 Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6.
- 2) No accessible coat hook has been provided. 1991 Standards §§ 4.1.3(12)(a), 4.1.6(1)(b), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.
- 3) No accessible mirror has been provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.6.
- 4) There is insufficient turning space within the toilet room. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.3, 4.2.3, Fig. 3.
- 5) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.4.
- 6) The toilet is inaccessible because the top of the seat is 15.5 inches above the finished floor. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.3, Fig. 29(b).
- 7) The door to the toilet room, which is accessed from the latch side of the door, is inaccessible because it has less than 18 inches of maneuvering clearance on the pull side. 1991 Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.6, Fig. 25(c).

L. All other single-user toilet rooms throughout the Skybox:

- 1) There is no signage directing people with disabilities to the nearest accessible toilet rooms. 1991 Standards §§ 4.1.2(7)(d), 4.1.6(3)(e)(iii), 4.30.1, 4.30.2, 4.30.3, 4.30.5, 4.30.7.

M. Corridor Toilet Room, near suite #109

- 1) The toilet room sign is on the door and lacks Braille characters. 1991 Standards §§ 4.1.2(7)(d), 4.30.1, 4.30.4, 4.30.5, 4.30.6.
- 2) No rear grab bar has been provided. 1991 Standards §§ 4.16.4, 4.26.2, Fig. 29.



- 3) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. 1991 Standards § 4.19.4
- 4) No accessible mirror has been provided. 1991 Standards § 4.19.6.

N. Upper Level Concourse

- 1) Women's Toilet Rooms #7A, 8A, 9A - (stalls) – for each toilet room:
  - a) The toilet room sign is inaccessible. 1991 Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6.
  - b) The toilet room door is inaccessible because the pressure required to open the door is greater than 5 pounds. 1991 Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.11(2)(b).
  - c) The lavatory is inaccessible because the apron is 26 inches high. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.2, Fig. 31.
  - d) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.4.
  - e) Designated accessible standard toilet stall:
    - (1) The designated accessible toilet stall is inaccessible because the space provided is insufficient. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17, Fig. 30.
    - (2) The toilet is inaccessible because its centerline measures 21 inches from the side wall. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.3, Fig. 30.
    - (3) The toilet is inaccessible because the flush control is mounted on the closed side. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.5, 4.17.2, 4.27.4.
    - (4) The toilet paper dispenser is inaccessible because it is mounted only 0.5 inches under the grab bar. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.3, Fig. 30(d).

- (5) No accessible coat hook has been provided. 1991 Standards §§ 4.1.3(12)(a), 4.1.6(1)(b), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.
  - f) Although there are more than 6 stalls, there is no ambulatory stall provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, Fig. 30(d).
- 2) Men's Toilet Rooms #7, 8, 9 - (stalls) – for each toilet room:
- a) The toilet room sign is inaccessible. 1991 Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6.
  - b) The toilet room door is inaccessible because the pressure required to open the door is greater than 5 pounds. 1991 Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.11(2)(b).
  - c) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.4.
  - d) No accessible urinal is provided because they have flush controls mounted at 52 inches high. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.5, 4.18.2, 4.18.3, 4.18.4.
  - e) Designated accessible standard toilet stall:
    - (1) The designated accessible toilet stall is inaccessible because there is insufficient clear floor space provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17, Fig. 30.
    - (2) The toilet is inaccessible because its centerline measures 22 inches from the side wall. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.3, Fig. 30.
    - (3) The toilet is inaccessible because the flush control is on the closed side. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.5, 4.17.2, 4.27.4.
    - (4) The toilet paper dispenser is inaccessible because it is mounted on the wall opposite the side grab bar. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.3, Fig.

30(d).

- f) Although there are 6 stalls, there is no ambulatory stall provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, Fig. 30(d).
- g) The paper towel dispenser is inaccessible because the controls are mounted at too high above the finished floor. 1991 Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6.
- h) The route within the toilet room is inaccessible because the paper towel dispenser and the lavatory are protruding objects. 1991 Standards §§ 4.1.2(3), 4.1.6(1)(b), 4.4.
- i) No accessible coat hook has been provided. 1991 Standards §§ 4.1.3(12)(a), 4.1.6(1)(b), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.

O. North Tunnel

- 1) Women's Toilet Room - (stalls)
  - a) The toilet room sign is inaccessible. 1991 Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6.
  - b) The toilet room door is inaccessible because the pressure required to open the door is 5 pounds. 1991 Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.11(2)(b).
  - c) The door to the toilet room, which is accessed through a front approach and which has both a closer and a latch, is inaccessible because it has insufficient maneuvering clearance. 1991 Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.6, Fig. 25(a).
  - d) No accessible mirror has been provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.6.
  - e) Designated accessible standard toilet stall:
    - (1) The designated accessible toilet stall is inaccessible because it has insufficient clear floor space. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17, Fig. 30.
    - (2) The toilet is inaccessible because the top of the seat is 15.5 inches above the finished floor. 1991 Standards

§§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.16.3, 4.17.2, Fig. 30(d).

(3) The toilet is inaccessible because its centerline measures 21 inches from the side wall. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.17.3, Fig. 30.

(4) No accessible coat hook has been provided. 1991 Standards §§ 4.1.3(12)(a), 4.1.6(1)(b), 4.25.2, 4.25.3, 4.2.4, 4.2.5, 4.2.6.

f) The toilet room door is inaccessible because there is no level landing within the door's required maneuvering clearance. 1991 Standards §§ 4.1.3(7)(a), 4.1.6(1)(b), 4.13.6, Fig. 25.

g) The paper towel dispenser is inaccessible because the controls are mounted at too high above the finished floor. 1991 Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6.

2) Men's Toilet Room - (stalls)

a) The toilet room sign is inaccessible. 1991 Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6.

b) The toilet room door is inaccessible because the pressure required to open the door is greater than 5 pounds. 1991 Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.11(2)(b).

c) The door to the toilet room, which is accessed through a front approach and which has both a closer and a latch, is inaccessible because it has insufficient maneuvering clearance. 1991 Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.6, Fig. 25(a).

d) No accessible mirror has been provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.6.

e) The urinal is inaccessible because the flush control is mounted at 46 inches high. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.5, 4.18.2, 4.18.3, 4.18.4.

f) There is no accessible stall provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.22.7, 4.13, 4.16, 4.17, 4.26, 4.27, Fig. 30.

g) The route within the toilet room is inaccessible because the paper

towel dispenser is a protruding object. 1991 Standards §§ 4.1.2(3), 4.1.6(1)(b), 4.4.

P. Lower Concourse

1) Drinking Fountain at Women's Toilet - V-6

- a) The drinking fountain is not accessible because the spout is not mounted in the front, the spout is more than 36 inches high, the water flow is not within 3 inches of the front, and the controls require 8 pounds of force to operate. 1991 Standards §§ 4.1.3(10), 4.1.6(1)(b), 4.15, 4.27.4, Fig. 27.

2) Drinking Fountain across from Women's Toilet - V-6

- a) The drinking fountain is not accessible because the spout is not mounted in the front, the spout is more than 36 inches high, the water flow is not within 3 inches of the front, and the controls require 8 pounds of force to operate. 1991 Standards §§ 4.1.3(10), 4.1.6(1)(b), 4.15, 4.27.4, Fig. 27.

3) Drinking Fountain at Women's Toilet - #2A

- a) The drinking fountain is not accessible because the spout is not mounted in the front, the spout is more than 36 inches high, and the water flow is not within 3 inches of the front. 1991 Standards §§ 4.1.3(10), 4.1.6(1)(b), 4.15, 4.27.4, Fig. 27.
- b) The route near the drinking fountain at Women's Toilet Room - 2A is inaccessible because the fountain is not detectable to a person who is blind or has low vision using a cane. 1991 Standards §§ 4.1.2(3), 4.1.6(1)(b), 4.4.

4) Drinking Fountain at Women's Toilet - #3A

- a) The drinking fountain is not accessible because the spout is not mounted in the front, and the water flow is not within 3 inches of the front. 1991 Standards §§ 4.1.3(10), 4.1.6(1)(b), 4.15, 4.27.4, Fig. 27.
- b) The route near the drinking fountain at the Women's Toilet Room-3A is inaccessible because the fountain is not detectable to a person who is blind or has low vision using a cane. 1991

Standards §§ 4.1.2(3), 4.1.6(1)(b), 4.4.

- 5) Drinking Fountain across from Men's Toilet #3
  - a) The drinking fountain is not accessible because the spout is not mounted in the front, the spout is more than 36 inches high, the water flow is not within 3 inches of the front, and the controls require 8 pounds of force to operate. 1991 Standards §§ 4.1.3(10), 4.1.6(1)(b), 4.15, 4.27.4, Fig. 27.
- 6) Drinking Fountain at Men's Toilet #3
  - a) The drinking fountain is not accessible because the spout is not mounted in the front, the spout is more than 36 inches high, the water flow is not within 3 inches of the front, and the controls require 8 pounds of force to operate. 1991 Standards §§ 4.1.3(10), 4.1.6(1)(b), 4.15, 4.27.4, Fig. 27.
- 7) Drinking Fountain at Men's Toilet #4
  - a) The drinking fountain is not accessible because the spout is not mounted in the front, the spout is more than 36 inches high, the water flow is not within 3 inches of the front, and the controls require 8 pounds of force to operate. 1991 Standards §§ 4.1.3(10), 4.1.6(1)(b), 4.15, 4.27.4, Fig. 27.
- 8) Drinking Fountain across from Men's Toilet #4
  - a) The drinking fountain is not accessible because the spout is not positioned at the front. 1991 Standards §§ 4.1.3(10), 4.1.6(1)(b), 4.15, 4.27.4, Fig. 27.

Q. Press Box Drinking Fountain

- 1) The drinking fountain at the Press Box is inaccessible because it does not allow 17-19 inches of knee depth, and has a knee space height of only 24 inches. 1991 Standards §§ 4.1.3(10), 4.1.6(1)(b), 4.15.5(1), Figs. 27(a), (b).

R. South Tunnel Locker Rooms

- 1) Visiting

- a) The signage provided is inaccessible. 1991 Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.
- b) The locker room door is inaccessible because the pressure required to open the door is 8 pounds. 1991 Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.11(2)(b).
- c) The locker room is inaccessible because thumb latch hardware is used. 1991 Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.9.
- d) No accessible mirror has been provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.6.
- e) The paper towel dispenser is inaccessible because the hardware requires tight grasping to operate. 1991 Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.4.
- f) The paper towel dispenser is inaccessible because the controls are mounted too high above the finished floor. 1991 Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.2, 4.27.3, 4.2.4, 4.2.5, 4.2.6.
- g) The lavatory is inaccessible because the bottom rim of the apron is 27 inches above the finished floor. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.2, Fig. 31.
- h) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.4.
- i) The urinal is inaccessible because the rim is 23 inches high, and the flush controls are at 51 inches. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.5, 4.18.2, 4.18.3, 4.18.4.
- j) No accessible stall is provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.22.7, 4.13, 4.16, 4.17, 4.26, 4.27, Fig. 30.
- k) The shower in the locker room is inaccessible because there is a one inch curb at the entrance to the shower, and no accessible modifications have been made. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.21, Figs. 35, 36, 37.

- l) No accessible dressing room mirror has been provided. 1991 Standards §§ 4.1.3(21), 4.1.6(1)(b), 4.35, 4.30, 4.26.3, 4.2, 4.3, Fig. 3.
- m) The bench in the locker room is not attached to the wall. 1991 Standards §§ 4.1.3(21), 4.1.6(1)(b), 4.35.4, 4.26.3.
- n) Although one drinking fountain is provided, there is no accessible drinking fountain. 1991 Standards §§ 4.1.3(10), 4.1.6(1)(b), 4.15, 4.27.4, Fig. 27.

2) Home

- a) The signage provided is inaccessible. 1991 Standards §§ 4.1.2(7)(d), 4.1.6(1)(b), 4.30.1, 4.30.4, 4.30.5, 4.30.6, 4.30.7.
- b) The locker room door is inaccessible because the pressure required to open the door is 8 pounds. 1991 Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.11(2)(b).
- c) The locker room is inaccessible because thumb latch hardware is used. 1991 Standards §§ 4.1.3(7)(b), 4.1.6(1)(b), 4.13.9.
- d) No accessible mirror has been provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.6.
- e) The paper towel dispenser is inaccessible because the hardware requires tight grasping to operate. 1991 Standards §§ 4.1.3(13), 4.1.6(1)(b), 4.27.4.
- f) The lavatory is inaccessible because the bottom rim of the apron is 27 inches above the finished floor. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.2, Fig. 31.
- g) The lavatory is inaccessible because the hot water pipes are not insulated or otherwise configured to protect against contact. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.6, 4.19.4.
- h) The urinal is inaccessible because the rim is 23 inches high, and the flush controls are at 51 inches. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.5, 4.18.2, 4.18.3, 4.18.4.
- i) There is no accessible stall provided. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.22.4, 4.22.7, 4.13, 4.16, 4.17, 4.26, 4.27, Fig. 30.



- j) The shower in the locker room is inaccessible because there is a one inch curb at the entrance to the shower, and no accessible modifications have been made. 1991 Standards §§ 4.1.3(11), 4.1.6(1)(b), 4.21, Figs. 35, 36, 37.
- k) No accessible dressing room mirror has been provided. 1991 Standards §§ 4.1.3(21), 4.1.6(1)(b), 4.35, 4.30, 4.26.3, 4.2, 4.3, Fig. 3.
- l) The bench in the locker room is not attached to the wall. 1991 Standards §§ 4.1.3(21), 4.1.6(1)(b), 4.35.4, 4.26.3.
- m) Although one drinking fountain is provided, there is no accessible drinking fountain. 1991 Standards §§ 4.1.3(10), 4.1.6(1)(b), 4.15, 4.27.4, Fig. 27.

**EXHIBIT B**

Certification of ADA Compliance

I, [insert name], in my capacity as an Independent Licensed Architect, retained by the City of Memphis and approved by the United States, pursuant to the Settlement Agreement executed by the parties on ~~October 28~~, 201~~2~~<sup>3</sup>  
*January*

Hereby CERTIFY to the best of my knowledge, information, and belief that the following element identified below is in compliance with the physical accessibility requirements of the Agreement and the Americans with Disabilities Act as of the date shown below.

Element Identified in Exhibit A to the Settlement Agreement:

Description of Element:

Location of Element:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Independent Licensed Architect

## **EXHIBIT C**

Sample Architectural Plans Showing Locations of Wheelchair Spaces in the Stadium Bowl<sup>2</sup>

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<sup>2</sup> Note that these architectural drawings are unique to Liberty Bowl Memorial Stadium and the instant Settlement Agreement, are not applicable to other venues, and do not necessarily set forth all applicable requirements for other assembly areas.

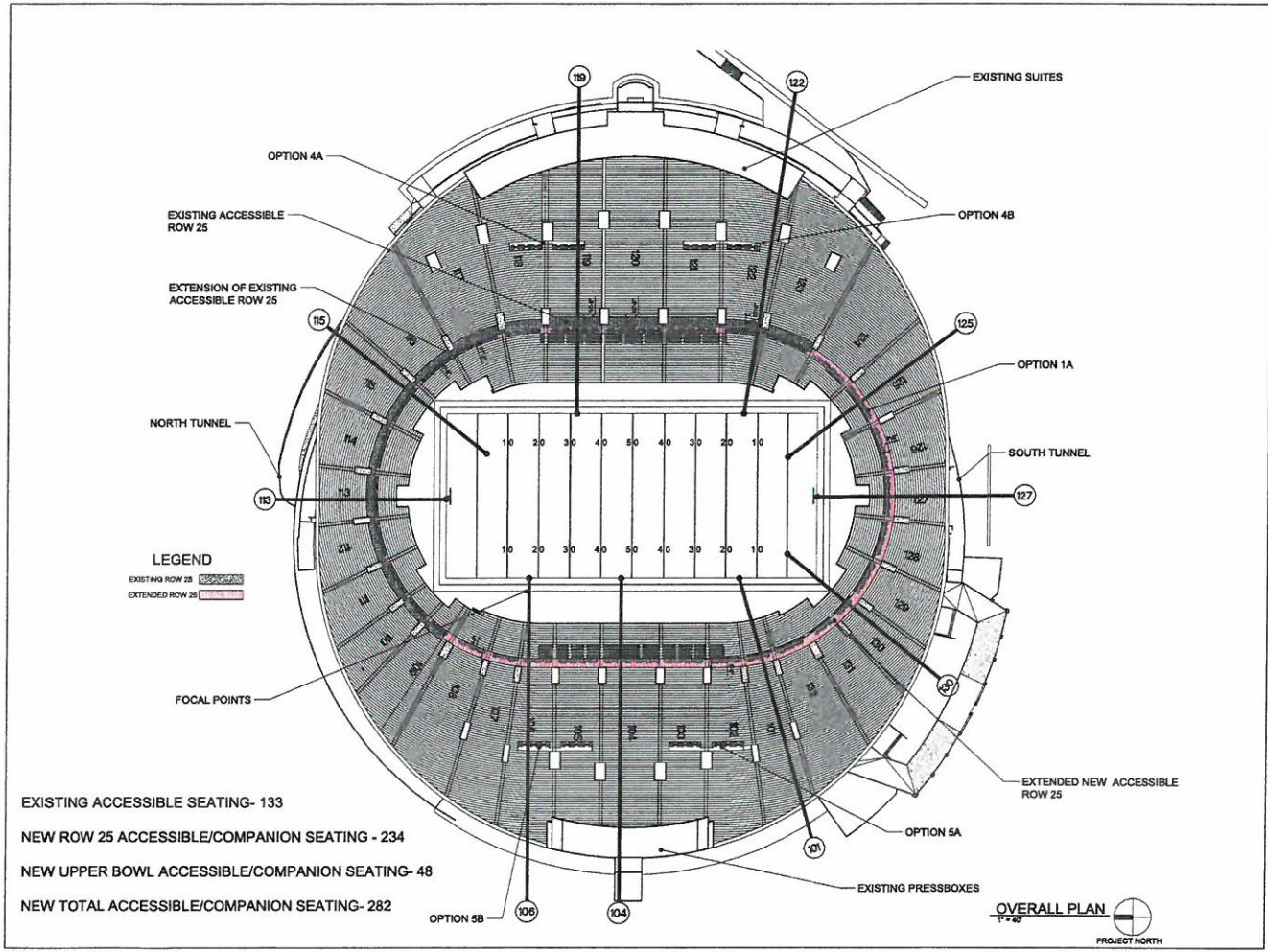
**Liberty Bowl  
Memorial Stadium  
Accessibility  
Enhancements**



**O.T. Marshall  
Architects**  
4000 Ridge Road, Suite 100  
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DESIGN BY: CAMPBELL



PROJECT NAME:	LIBERTY BOWL STADIUM ACCESSIBILITY ENHANCEMENTS
DRAWING NAME:	OVERALL PLAN
DATE:	08/10/10
DRAWING NUMBER:	A-2