



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

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**Lisa Madigan**  
ATTORNEY GENERAL

July 24, 2014

**VIA CERTIFIED MAIL #7006 0810 0000 1320 9652**  
**RETURN RECEIPT REQUESTED**

Christopher M. Hoffman  
Hodges Loizzi Eisenhammer Rodick & Kohn LLP  
3030 Salt Creek Lane, Suite 202  
Arlington Heights, Illinois 60005

RE: Accessibility Complaint #2013-DRC-4805  
William Hatch Elementary School  
1000 N. Ridgeland Avenue  
Oak Park, Illinois 60302

Dear Mr. Hoffmann:

As you are aware, the Disability Rights Bureau of the Illinois Attorney General's Office received a complaint regarding the accessible parking and entrance ramp at William Hatch Elementary School in Oak Park. As we discussed and documented on January 16, 2014, my office waited to inspect the parking lot of the above referenced facility until weather permitted your client to restripe the accessible space which had been eliminated when the lots were sealcoated during the summer of 2013. In our letter of January 16, 2014, we also informed you that after our inspection is complete, we would notify you of any alterations that may be necessary to bring the parking lots and entrance ramp into compliance with state and federal laws and regulations. After receiving notification that weather had allowed your client to restripe the accessible parking space at issue, our Disability Specialists conducted site inspections on April 24, 2014 and June 25, 2014.

Title II of the Americans with Disabilities Act, ("ADA") 42 U.S.C. §12181 *et seq.*, requires that every state or local government facility constructed or altered on or after January 26, 1992 meet the minimum accessibility requirements contained in its implementing Standards ("Standards"), 28 CFR Part 35.151 and 36 CFR Part 1191, appendices B and D. The Illinois Accessibility Code ("IAC"), 71 Ill. Admin. Code, §400, which implements the Environmental

Barriers Act (“EBA”), 410 ILCS 25/1 *et seq*, requires that every state or local government facility constructed or altered on or after May 1, 1988 comply with the minimum accessibility requirements set forth in the IAC.

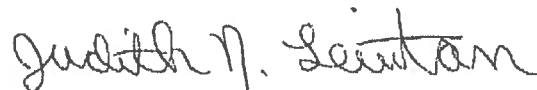
Because the William Hatch Elementary School parking lots and entrance ramp have been constructed or altered after May 1, 1988, we inspected these elements of the facility for compliance with the requirements of both the ADA and the EBA. Our findings indicate that the parking lots and entrance ramp of the facility are not in compliance with these laws. This letter and its accompanying attachment set forth our factual findings and the relevant statutory and regulatory requirements under the ADA and the EBA.

Pursuant to Sections 25/6 and 25/7 of the EBA, 410 ILCS §§ 25/6-25/7, and Section 400.140 of the IAC, 71 Ill. Admin. Code 400.140, the Attorney General has the authority to commence an action to seek civil penalties in an amount not to exceed \$250 per day that the facility is in violation of the EBA. However, to resolve this matter and avoid litigation, William Hatch Elementary School is being offered an opportunity to enter into a voluntary agreement with this office to bring the facility into compliance with the ADA and the EBA.

Within thirty (30) days receipt of this letter, please submit a written proposal for bringing the parking lots and main entrance of the William Hatch Elementary School into compliance with the ADA and the EBA. In the proposal, please include drawings of any construction or modifications to be done, the names of any individuals or companies who will complete the work, estimated timelines for completing each part of the project, and an estimated cost of each modification. After reviewing the proposal, we will contact you to discuss it further. **Please do not make any modifications to the facility without our approval.**

We look forward to hearing from you. If you have any questions please contact me at (312) 814-5863 or JLevitan@atg.state.il.us.

Sincerely,



Judith N. Levitan  
Assistant Attorney General  
Office of the Illinois Attorney General  
Disability Rights Bureau  
100 W. Randolph Street, 11<sup>th</sup> Floor  
Chicago, IL 60601

Enclosure

**William Hatch Elementary School  
1000 N. Ridgeland  
Oak Park, IL 60302  
2013-DRC-4805**

**Attachment A**

**I. Parking**

1. The number of accessible parking spaces provided is less than the two that are required [1 accessible space]. IAC § 400.310(c)(1); Standards §208.2.

Second accessible space can be installed at the location currently being used by the red vehicles below.



2. The surface slope of the accessible parking space's vehicle space exceeds 1:50 or 2% [2.7% (middle cross), 2.6% (bottom cross)]. IAC § 400.310(c)(3).



3. The surface slope of the accessible parking space's access aisle exceeds 1:50 or 2% in all directions [2.1% (top running slope), 3.9% (top cross slope) and 2.1% (bottom cross slope)]. IAC § 400.310(c)(3).



4. Accessible parking spaces shall be designated as reserved for persons with disabilities by providing an R7-8 (U.S. Department of Transportation standard) sign which contains the international symbol of accessibility [blue and white sign]. IAC § 400.310(c)(7).





5. The accessible parking space does not have the R7-1101 (“\$250 Fine”) sign. IAC § 400.310(c)(7).
6. There is a change in level in the route leading from the parking lot to the entrance that is between  $\frac{1}{4}$  inch and  $\frac{1}{2}$  inch and is not beveled. IAC § 400.310(a)(7); Standards § 403.4.



**II. Accessible Route**

7. Accessible routes shall not have running slopes greater than 1:20 [running slope = 5.3%]. IAC § 400.310(a)(6); Standards § 402.2.



8. Nowhere shall the cross slope of an accessible route exceed 1:50 [cross slope of the route leading to the ramp = 5.3%]. IAC § 400.310(a)(6).

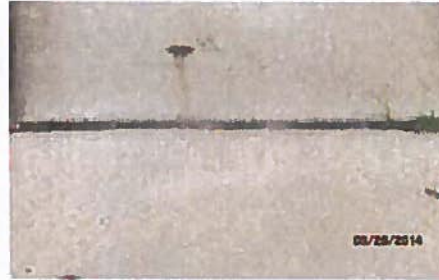


9. The running slope of an accessible route/walking surface shall not be steeper than 1:20 [running slopes range from 6.7% - 10.0%]. IAC § 400.310(a)(6); Standards § 403.3.





10. There is a change in level at the base of the ramp, where the accessible route meets the ramp that exceeds ½ inch [1" gap]. IAC § 400.310(a); Standards § 206.1.



III. Ramp

11. Ramps shall have level landings at the top and bottom of each ramp run [no level landing provided, running slope = 9.4%]. § IAC 400.310(e)(4); Standards § 405.7.



12. The ramp's handrails do not extend at least 12 inches beyond the bottom of the ramp parallel to the floor surface. IAC §§ 400.310(e)(5)(B), Illustration B, Fig.17; Standards § 405.8.

13. Ramp runs shall have a running slope not steeper than 1:12 (8.33%) [bottom = 10.2%; middle = 10.1%; top = 8.9%]. IAC § 400.310(e)(2); Standards § 405.2.



