



## **Philadelphia Department of Streets**

### **Regulations Governing Construction of ADA-Compliant Curb Ramps**

#### **Section 1. Authority.**

(1) These Regulations are promulgated pursuant to Section 11-505(1) and 11-505(6) of The Philadelphia Code, which provide as follows

“The sidewalks of the all public streets, and the roadways and sidewalks of all private streets, shall be graded, curbed, paved and kept in repair at the expense of the owners of the land fronting thereon, except as otherwise provided in this Section.”

“All sidewalks, curbs, and driveways across sidewalks shall be laid or set in accordance with specifications and regulations of the Department of Streets and the provisions of this Chapter.”

(2) The installation or replacement of curb ramps is governed by the Federal requirements contained in the Americans with Disabilities Act (“ADA”) and associated regulations.

(3) Under the ADA, the United States Access Board has developed and continues to maintain accessibility design guidelines for accessible buildings and facilities known as the 2010 ADA Standards and the Draft Public Rights-Of- Way Guidelines (“PROWAG”). Both the 2010 ADA Standards and PROWAG provide means to meet the requirements of ADA.

(4) Further guidance on ADA compliance has been provided by the Pennsylvania Department of Transportation in its Design Manual, Chapter 6, which incorporates the 2010 ADA Standards and PROWAG.

(5) The Department of Streets finds that many curb ramps throughout the City do not comply with the requirements of the ADA, impeding pedestrian use of the Right of Way and creating safety concerns.

(6) The Department further finds that a significant cause of curb ramps that do not meet ADA requirements is the practice of repaving sidewalks and streets around existing ramps, rather than replacing the entire system simultaneously.

(7) Therefore, to ensure uniform compliance with the requirements of the ADA, the Department is implementing the following regulations.

**Section 2. Definitions.**

(1) ADA-Compliant Ramp. A short pedestrian ramp cutting through a curb or built up to a curb from a lower level which meets all requirements of the ADA and associated regulations.

(2) Path of Travel. A continuous, unobstructed way of pedestrian passage by means of which the altered area may be approached, entered, and exited, and which connects the altered area with an exterior approach (including sidewalks, streets, and parking areas), an entrance to the facility, and other parts of the facility.

(3) Point of Curvature. The point of the curb intersection at which the curb line ceases to be curved and becomes straight.

(4) Point of Curvature Line. A line drawn at a right angle to the curb line from the Point of Curvature, to the ROW Line extended.

(5) Right of Way ("ROW") Line. The line, as shown on the City Plan dividing real property in which the City has a regulatory interest or interest as a trustee for the public, from privately owned and other real property, also known as the "house line."

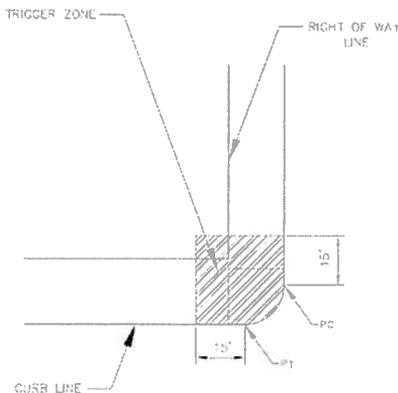
(6) Sidewalk. All that area legally open to public use as a pedestrian public way between the curb line and the ROW Line of the abutting property.

**Section 3. Ramp Requirement.**

(1) Property Owners. The owner of the property which abuts the intersection (i.e. corner property which has ramp area on its sidewalk) must install ADA-Compliant Ramps when work on the abutting Sidewalk will alter the path of travel to an existing, non-ADA Compliant Ramp; or will cause an existing ADA-Compliant Ramp to no longer be ADA compliant; or where no ADA-Compliant Ramp currently exists. For the purposes of this regulation, the path of travel will be considered altered when:

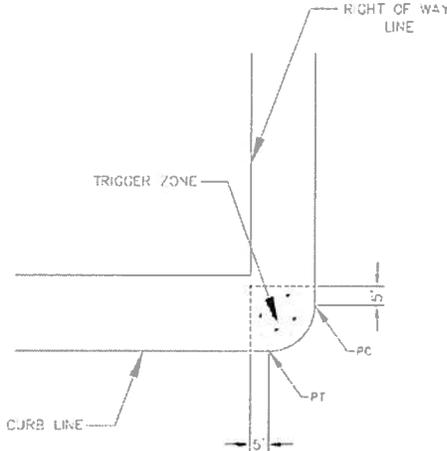
(a) More than 50% of the existing Sidewalk along either of the two intersecting streets forming the corner, and within a rectangular area comprised of the Sidewalk

within fifteen feet (15') from the nearest Point of Curvature Line, (See Figure 1) is reset, resurfaced or replaced;



**Figure 1**

(b) Any opening or excavation of greater than one foot (1') square encroaches within five feet (5'), of any Point of Curvature. (See Figure 2).



**Figure 2**

(2) Private Utilities. Any private utility working in the ROW must install ADA-Compliant Ramps where the work on the abutting roadway will alter the path of travel to an existing, non-ADA Compliant Ramp; or will cause an existing ADA-Compliant Ramp to no longer be ADA compliant; or where no ADA-Compliant Ramp currently exist. For the purposes of this regulation, the path of travel will be considered altered when:

(a) Any street surface within five feet (5') of any portion of an existing ramp, is milled and resurfaced (See Figure 3),

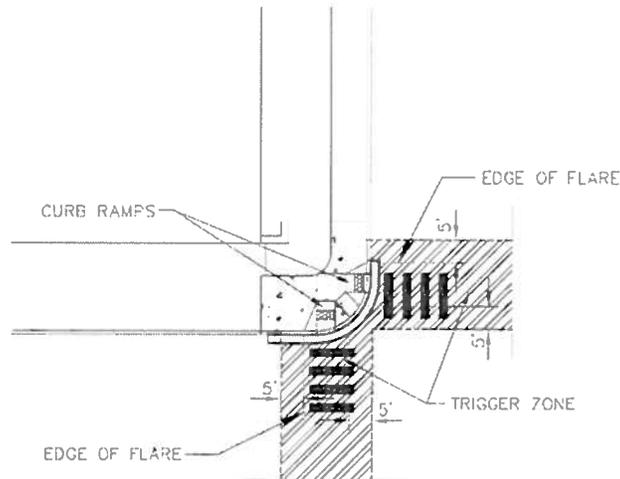


Figure 3.

(b) The total area of surface area milled or resurfaced within the roadway adjacent to the curb ramp area exceeds fifty percent (50%) of the total roadway area of the affected street, measured from centerline of intersection to centerline of intersection using the City's GIS Centerline data.

(c) Any opening or excavation in the Sidewalk of greater than one foot (1') square encroaches within five feet (5') from any Point of Curvature Line. (See Figure 4).

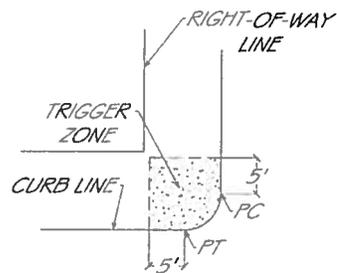


Figure 4

(3) City-owned Utilities. City-owned utilities shall also comply with subsection 3.(2). However, if the City has established a City program for curb ramp improvements City-owned utilities shall contribute to curb ramp funding as required by the Streets Department in lieu of arranging for curb ramp improvements under Subsections 3.(2)(a) and 3.(2)(b).

**Section 4. Miscellaneous.**

(1) All ramp designs must be approved by the Streets Department before construction begins and construction certification must be submitted for acceptance to the Streets Department.

(2) Where work in the ROW by either a property owner or private utility would otherwise require construction of an ADA-Compliant Ramp, but the existing ramp is in good repair and meets the requirements of the ADA, the Streets Department may waive the requirements above upon receipt, review, and approval of as-built inspection records provided for the location.

(3) The obligation to provide an ADA-Compliant Ramp may not be evaded by performing a series of small alterations to the surrounding sidewalk area if those alterations could have been performed as a single undertaking.

**Section 5. Effective Date.**

These regulations shall become effective as soon as permitted under Section 8-407 of The Philadelphia Home Rule Charter.

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David J. Perri, P.E.  
Commissioner



# CITY OF PHILADELPHIA

STREETS DEPARTMENT/HIGHWAY DIVISION  
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DAVID J. PERRI, P.E.  
Streets Commissioner

## MEMORANDUM

TO: Joan Decker, Commissioner  
Records Department

FROM: David J. Perri, P.E., Commissioner  
Streets Department

DATE: August 20, 2014

RE: Streets Department Regulations Governing Construction of ADA-  
Compliant Curb Ramps

782343

Please find attached for filing the above referenced regulation. In accordance with Section 8-407 of the City Charter, I am filing this Regulation with your Department in order to initiate the public inspection period. Also, please find attached a memorandum from the Law Department approving the Regulation.

Thank you for your assistance in this matter.

DEPARTMENT OF RECORDS  
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