

City of Bend to settle bus-stop lawsuit

by Bend_Weekly_News_Sources

The Bend city council and an advocacy group representing eight plaintiffs who filed a federal lawsuit against the city in December 2006 alleging the city's bus stops violated transit regulations stipulated by the Americans with Disabilities Act (ADA) will meet Wednesday to settle the issue.

According to the issue summary on the city's web site prepared by Peter Schannauer with the city's legal department, since the suit was filed both parties have been working toward a mutually acceptable settlement.

In the proposed settlement, already signed by the plaintiffs, the city would be required to have 70 percent of the bus stops compliant with ADA regulations within three years, and all bus stops must be accessible within five years. The city doesn't have to construct or replace sidewalks, although they will be required to maintain sidewalks and remove protrusions such as mailboxes and signs near bus stops.

By September 2014, the city must have two compliant curb ramps at each bus stop that is located near key facilities, including downtown, places of public accommodation, government offices and high usage areas. The city will use 50 percent of funds budgeted annually for curb ramp upgrades to be dedicated to those related to bus stops.

The settlement agreement also calls for each party to be responsible for its own attorney fees, and allows for time extensions if the city is acting in good faith and is unable to meet the deadlines.

When the agreement is executed the lawsuit will be dismissed, but the court will retain jurisdiction in order to ensure compliance and enforcement.

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