

Silver Lake Nature Center

Trail Handicapped Accessibility Policy

The Department of Justice has amended its regulation implementing Title II and Title III of the 1990 Americans with Disabilities Act (ADA). The amended regulations require organizations managing trails that are open to the public to conduct an assessment to determine if individuals with mobility disabilities can be accommodated on all or portions of the trail using “other power-driven mobility devices” (OPDMD).

The requirements in the rule became effective on March 15, 2011.

The Silver Lake Nature Center’s Facilities Committee (Committee) conducted an assessment of the trails with the focus of the analysis being on the appropriateness of the use of the device on the Center’s trails or trail section, rather than whether it is necessary for an individual to use a particular device.

The Silver Lake Nature Center (Center) has a trail designated as a handicapped accessible trail. This trail is a half mile in length and is roughly a figure eight shape. It takes the visitors through a representation of all the habitats available at the Silver Lake Nature Center. This section of trail is paved with gravel fines or is grass-covered packed dirt to create a hard smooth surface. The trail crosses wetlands on boardwalks made of plastic lumber. The accessible trail is reasonably level with no steep inclines or extended changes in elevation. The trail is often 60 inches wide, but does narrow down to 36 inches where obstacles forced the trail width to be compressed. Benches are placed regularly along the trail. The trail is accessible from both the parking lot by the lake and the parking lot at the Visitor Center.

All of the trails at the Center are open from sunrise to sunset every day, with the exception of when those on the trail are taking part in a formal program offered by the Center after hours. The trails are primarily for pedestrian use for the purpose of nature study. The Committee recognizes that the trails can also be used for appropriate recreational purposes. All visitors regardless of mode of travel are asked to stay on the designated trails. A study conducted in 2010 demonstrated that the Center is home to 40 plant species and at least two animal species that are listed as Pennsylvania Species of Special Concern. The Center contains two habitats considered Pennsylvania Habitats of Special Concern. Any off-trail use may adversely impact one or more of these species.

Assessment Factors

The Assessment Factors referenced in the regulation and used by the Committee in developing its accessibility policy are:

1. The type, size, weight, dimensions, and speed of the device;
2. The volume of trail devices and pedestrian traffic;
3. The design and operational characteristics of the trail;
4. Whether legitimate safety requirements can be established to permit the safe operation of the other power-driven mobility device on the specific trail or trail section; and
5. Whether the use of the other power-driven mobility device creates a substantial risk of serious harm to the immediate environment or natural or cultural resources, or poses a conflict with Federal land management laws and regulations.”

Silver Lake Nature Center Trail Accessibility Policy

While the Center has created a trail specifically designed to meet the needs of people with mobility issues, it acknowledges that all trails are open to all visitors who wish to attempt a trail in a wheelchair, as defined in the Americans with Disabilities Act.

A wheelchair is “...a manually-operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor or of both indoor and outdoor locomotion.”

Only those sections of trails designated as Accessible will be maintained for accessibility. Users with mobility disabilities who attempt other sections of trails do so at their own risk.

After analyzing the above-referenced Assessment Factors, it has been determined that on any Nature Center Trail, persons with a mobility disability may use any electric propulsion device that does not exceed any of the following criteria for reasons not limited to those defined:

1. An OPDMD may be up to 32 inches in width. The trails do narrow down to 36 inches in spots. Wider vehicles would require an OPDMD user to travel off the trail.
2. An OPDMD may be up to 6 feet in length. The trails have many tight curves, and a longer OPDMD would obstruct the trail for other users and may require the user to travel off the trail if they wished to turn around.
3. An OPDMD must be electric powered.
4. An OPDMD must be operated at a safe speed. When other users are present on a trail, a safe speed for an OPDMD is deemed to be the average speed at which the other users are travelling on the trail. The maximum speed for an OPDMD when other users are present is 3 MPH. When other users are not present the maximum speed for an OPDMD is 5 MPH. The trails at the Center are designed to twist and turn with many blind curves offering the walker an opportunity to explore what is around the next bend. High speed of travel by an OPDMD may result in insufficient time for either party to react when approached.

Additional SLNC Recommendations:

1. An OPDMD should not be used on trails at times of heavy traffic. An OPDMD user may be informed by a representative of the SLNC or Bucks County Department of Parks and Recreation that specific trails at specific times are not available for OPDMD use due to heavy traffic. The Center regularly uses the trails as a platform for education leading large groups of visitors ranging in age from preschool to senior citizen. Trails being used by a group would be an example, but not the only reason a trail would be closed temporarily to an OPDMD user.
2. OPDMD's are to yield to pedestrians. When approaching his/her pedestrians or other trail users, the operator of the OPDMD needs to stop the vehicle at a safe distance from the other trail users and make contact confirming that the other visitors are aware of the OPDMD's presence and that they acknowledge that the OPDMD can pass safely.
3. Due to varying conditions on Center properties, to ensure safety and/or to protect the natural resources, SLNC recommends that an OPDMD user contact the Center at 215-785-1177 to confirm that an OPDMD is permitted on a particular trail.
4. Pennsylvania law requires all children under the age of 12 operating devices of any kind to wear helmets. For this reason, the Nature Center strongly encourages all trail visitors using motorized or non-motorized devices to wear helmets for safety.

By adopting these Guidelines SLNC is not representing that the Center's properties are safe for use by an OPDMD and it is not assuming any liability. Certain risks are inherent in the use of the Center and all users must exercise reasonable care.

Validation of Mobility Disability

Persons with a mobility disability may show a valid, State-issued, disability parking placard or card, or other State-issued proof of disability that has been issued to them, or they may state that they are using the mobility device due to a mobility disability. The trail organization representatives may not ask about the nature and extent of the individual's disability. The rule also adds that the claim of a mobility disability must be considered valid as long as it is not contradicted by observable fact.

Public Notification

The Center will post the above policy in the Visitor Center and on the website – www.silverlakenaturecenter.org – click on “our Grounds”, “Accessible Trail Policy” This policy is available to anyone in written or digital form by contacting the Center at 215-785-1177 or by email at silverlakenaturecenter@co.bucks.pa.us.