

Town of Georgetown, Indiana

Resolution R-12-06

A RESOLUTION ADOPTING THE NOTICE PROVISIONS AND GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

WHEREAS, the Town of Georgetown receives Federal funds for many uses and projects; and

WHEREAS, the receipt of such funds requires compliance with Federal laws and policies; and

WHEREAS, it is the wish of the U.S. Equal Employment Opportunity Commission that Municipal entities such as Georgetown formally enact and adopt policies and procedures demonstrating compliance with the Americans With Disabilities Act(ADA); and

WHEREAS, the Town of Georgetown, by its Town Council wishes to formally adopt and implement the following policy and procedure for the benefit of all Georgetown Citizens; and

NOW, THEREFORE, BE IT RESOLVED, by the Georgetown Town Council of the Town of Georgetown that the following declaration become a written policy of the Town of Georgetown and be posed in the Town Hall upon passage.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 (“ADA”), the Town of Georgetown will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities.

Employment: The Town of Georgetown does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: The Town of Georgetown will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Town of Georgetown’s programs, services and activities, including qualified sign language interpreters, document in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Clerk Treasurer

ADA Coordinator

PO BOX 127

Georgetown, Indiana 47122

Within 15 calendar days after receipt of the complaint, the Clerk Treasurer or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the Clerk Treasurer or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio recording. The response will explain the position of the Town of Georgetown and offer options for substantive resolution of the complaint.

If the response by the Clerk Treasurer or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Town Council President or his/her designee.

Within 15 calendar days after receipt of the appeal, the Town Council President or his/her designee will meet with complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Town Council President or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the Clerk Treasurer or his/her designee, appeals to the Town Council President or his/her designee, and responses from these two offices will be retained by the Town of Georgetown for at least three years.

SO RESOLVED, by this Town Council of the Town of Georgetown, Indiana
this 17th day of December, 2012.

Voting Aye:



Mike Mills, President

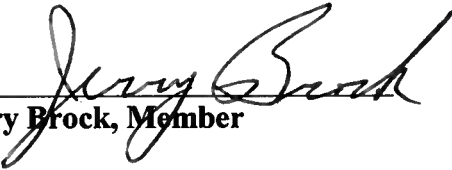
Voting Nay:

Mike Mills, President




Jim Tripure, Vice President

Jim Tripure, Vice President



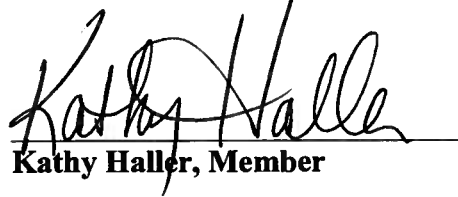
Jerry Brock, Member

Jerry Brock, Member



Patti Denison, Member

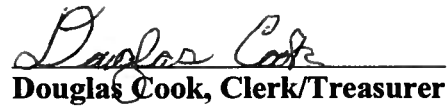
Patti Denison, Member



Kathy Haller, Member

Kathy Haller, Member

Attested by:



Douglas Cook, Clerk/Treasurer

Modifications to Policies and Procedures: The Town of Georgetown will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in Town of Georgetown offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the Town of Georgetown, should contact the office of the Public Works Director, 1636 Henriott Road or P.O. Box 127, Georgetown, Indiana, 47122, 812-951-3800, as soon as possible, but no later than 48 hours before the scheduled event.

The ADA does not require the Town of Georgetown to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that program, service, or activity of the Town of Georgetown is not accessible to persons with disabilities should be directed to the office of the Clerk Treasurer, 1070 Copperfield Drive or P.O. Box 127, Georgetown, Indiana 47122, 812-951-3012. The Town of Georgetown will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (“ADA”). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by Town of Georgetown. The Town’s Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a recording of the complaint will be made available for persons with disabilities upon request.



**Americans with Disabilities Act
ADA Transition Plan for Public Rights-of-Way**

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INTRODUCTION

The Americans with Disabilities Act (ADA) was enacted on July 26, 1990, and later amended effective January 1, 2009. As written and implemented, the ADA provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, access to public accommodations, transportation, and telecommunication. The ADA is a companion civil rights legislation to the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. In order to be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such impairment. The ADA, however, does not specifically name all of the impairments that are covered. The ADA is divided into five sections covering the following topics:

Title I: Employment

Title II: Public Services (and Transportation)

Title III: Public Accommodations (and Commercial Facilities)

Title IV: Telecommunications

Title V: Miscellaneous Provisions

Title II, specifically prohibits state and local governments from discriminating against persons with disabilities or from excluding participation in or denying benefits of programs, services, or activities to persons with disabilities. It is under this title that this transition plan has been prepared. This transition plan is intended to outline the methods by which physical changes will be made to give effect to the non-discrimination policies described in Title II.

TRANSITION PLAN DEVELOPMENT

To ensure program accessibility for people with disability in the community, the Town of Georgetown has developed a Transition Plan, which is to be considered good practice. *This Transition Plan for Public Rights-of-Way considers the following:*

A. ADA Coordinator:

Effective communication is essential to address all the complaints or concerns of all individuals. In order to keep maintaining the lines of communication open, and thereby ensuring effective communication between all parties, the Town of Georgetown has designated the Clerk/Treasurer as the ADA Coordinator. The ADA Coordinator shall coordinate the Town's efforts to comply with and carry out its responsibilities under Title II of the ADA, including any investigation of any complaint communicated to the ADA Coordinator. Such complaints may take the form of alleging noncompliance with ADA mandates or alleging any actions that would be prohibited under the ADA. The Town shall make available to all interested individuals the names, office address, and telephone number of the employee(s) so designated and has adopted and published procedures for the prompt and equitable resolution of complaints. Every complaint must be directed in writing to the ADA Coordinator, in this case the Clerk/Treasurer.

B. Notice/Grievance Procedure:

The Grievance Procedure established by Resolution (Appendix B) is intended to adhere to the standards outlined in the ADA. The procedure must be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provisions of services, activities, programs, or benefits provided by the Town of Georgetown.

The complaints should be in writing and contain information about the alleged discrimination such as name, address, phone number of complaint and location, date and description of the problem. Grievance Forms (Appendix A) must be used to lodge a complaint. See Appendix B for procedure.

ADA notice and grievance procedures will be posted at the Town Hall, and distributed with the Welcome Packets for new utility customers.

C. Self-Evaluation/Commitment/Schedule

The Town of Georgetown will conduct an inventory of evaluations of curb ramps and sidewalks. The Town is committed to making all sidewalk and curb ramp areas accessible to all pedestrians including those with disabilities. This will be accomplished through the following programs:

- All new construction, reconstruction, roadwork construction or alterations, including federal projects under the control and/or inspection of the Department of Public Works will be in compliance with the ADA;
- The Town will place ADA Detectable Warnings at each curb, that is currently handicap accessible, and each public building entrance that is currently handicap accessible, where they transition into roadways;
- The Town will replace existing curbs needing accessible ramps and add detectable warnings at entrances to main public buildings;
- The Town will replace existing curbs needing accessible ramps or having obstructions removed and add detectable warnings beginning with the main traffic areas.

D. ADA Standards/Guidelines

The standards are intended to apply to all construction undertaken within the Town Right-of-Way. The Indiana Department of Transportation design guidelines and standard drawing will serve as the primary standards and guidelines for this plan. Other standards, if necessary, will be applied at the discretion of the ADA coordinator.

IMPLEMENTATION

The Town intends to implement this Transition Plan effective the date of this document. Not only does the Town commit to following the guidelines set forth in this Transition Plan but it also commits to actively revising and amending this document as new information is discovered. Further, as a matter of policy, this document will be updated at least every five years.

Appendix A: Complaint/Grievance Form

Grievant Information:

Grievant Name: _____

Address: _____

Phone: _____ Alternate. Phone: _____

E-mail address: _____

Person preparing complaint/Relationship to Grievant (if different from Grievant):

Name: _____

Address: _____

Phone: _____ Alternate. Phone: _____

E-mail address: _____

Relation to Grievant: _____

Please specify any location(s) related to the complaint or grievance (if applicable):

Please state what you think should be done to resolve the complaint or grievance:

Please state what you think should be done to resolve the complaint or grievance:

Attach additional pages as needed.

Signature: _____ Date: _____

Please return to: ADA Coordinator, Clerk/Treasurer, P.O. Box 127, Georgetown, IN 47122
or by fax: 812-951-2034

Date received by Clerk/Treasurer _____