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**City of Aurora, Indiana**  
**ADA Transition Plan for Public Rights-of-Way**  
Adopted December 31, 2012

**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 (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 disabilities in the community, the City of Aurora has developed this Transition Plan, which is to be considered good practice. This Transition Plan for Public Rights-of-Way considers the following:

**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 City of Aurora has designated the City Clerk-Treasurer as the

ADA Coordinator. The ADA Coordinator shall coordinate the City'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 City shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints. Every complaint must be directed in writing to the ADA Coordinator, in this case the City Clerk-Treasurer.

### **Grievance Procedure**

The Grievance Procedure established below 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 City of Aurora.

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 alleged discriminatory action or issue. The City's adopted grievance form must be used to lodge a complaint. The City's adopted grievance form is attached at the end of this plan. Alternative means of filing complaints, such as personal interviews or recording of the complaint will be made available for persons with disabilities upon their request. The complaint should be submitted by the grievant and/or his/her designee as soon as possible, but no later than 180 calendar days after the alleged violation to:

City of Aurora  
ADA Coordinator—Clerk-Treasurer  
Aurora City Hall  
Third & Main Streets  
P.O. Box 158  
Aurora, IN 47001  
(812) 926-1777

Within 15 calendar days after receipt of the complaint, the ADA Coordinator, or his designee, will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator, or his designee, will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, braille, or audio tape. The response will explain the position of the City of Aurora regarding the complaint, and will offer options for substantive resolution of the complaint when applicable.

If the response by the ADA Coordinator, or his designee, does not satisfactorily resolve the issue, the complainant, or his/her designee, may appeal the decision within 15 calendar days after receipt of the City's response. The initial appeal shall be to the City's ADA Coordinator. Within 15 calendar days after receipt of the appeal, the ADA Coordinator, or his designee, shall meet again with the complainant to discuss the appeal and possible resolutions. Within 15 calendar days after the appeal meeting, the ADA Coordinator, or his designee, will respond in writing, and, where appropriate, in a format accessible to the complainant. The written appeal response will offer final resolution of the complaint.

All written complaints received by the ADA Coordinator, or his designee, appeals to the ADA Coordinator, or his designee, and responses from the ADA Coordinator, or his designee, will be retained by the City of Aurora for at least three (3) years.

## **Self-Evaluation Commitment**

The City of Aurora has conducted an inventory, inspection and evaluation of curbs, ramps and sidewalks within the City, many of which do not meet ADA requirements. The City is committed to making the entire City accessible to all individuals, including those with disabilities. This will be accomplished through the following:

- All new construction, reconstruction, road work 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 City will have in place a sidewalk repair program annually; and
- Allotting a conservative estimate of \$1,700.00 per curb ramp installation or reconstruction, the City of Aurora is committing from its gaming fund revenues approximately \$8,500.00 per year for the next 10 years to install new curb ramps and/or reconstruct existing curb ramps to meet ADA compliance. Missing or non-compliant curb ramps shall be prioritized in the installation and/or reconstruction plan.

## **ADA Standards and Guidelines**

The standards are intended to apply to all construction undertaken within the City rights-of-way. The Indiana Department of Transportation (INDOT) 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 City intends to implement this Transition Plan effective the date of this document. Not only does the City commit to the following 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. Finally, a copy of this document will be placed on the City's website.

**City of Aurora, Indiana**

**ADA Complaint/Grievance Form**

Name of Grievant: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Phone #: \_\_\_\_\_

Email Address: \_\_\_\_\_

Name of Person Filing Complaint if Not Grievant: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Phone #: \_\_\_\_\_

Email Address: \_\_\_\_\_

Date this Form was Completed: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Date of Incident for Complaint or Grievance: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please provide a complete description of the specific complaint or grievance:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

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

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Please provide any additional information you want the ADA Coordinator should consider with your complaint or grievance:

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Please attach additional pages if needed.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please return this form to:

City of Aurora  
ADA Coordinator—Clerk-Treasurer  
Aurora City Hall  
Third & Main Streets  
P.O. Box 158  
Aurora, IN 47001

Upon request, reasonable accommodations will be provided to assist with completing this form, or copies of the form will be provided in alternative formats. Contact the ADA Coordinator at the address listed above, or at (812) 926-1777 to request reasonable accommodations.