

CITY OF AURORA, INDIANA

RESOLUTION 2012-_____

A RESOLUTION ADOPTING THE NOTICE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT IN THE CITY OF AURORA, INDIANA

WHEREAS, the City of Aurora, Indiana, 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 desire of the U.S. Employment Opportunity Commission that municipalities such as the City of Aurora formally enact and adopt policies and procedures demonstrating compliance with the Americans with Disabilities Act (ADA); and

WHEREAS, the City of Aurora, by its Common Council, wishes to formally adopt and implement the following policies and procedures for the benefit of all Aurora citizens.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Aurora that the following declaration become written policy of the City of Aurora and be posted in all municipal buildings upon passage:

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT (ADA)

The City of Aurora (“City”) adopts the 2010 Americans with Disabilities Act (ADA) Standards for accessible design and the 2005 Guidelines for Accessible Public Rights. In accordance with the requirements of Title II of the ADA of 1990, the City will not discriminate against qualified individuals with disabilities on the basis of disability in its service, programs, or activities.

The City 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.

The City 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 City’s programs, services, and activities, including qualified sign language interpreters, documents in braille, and other ways of making information and communications accessible to people who have speech, hearing, vision, or other impairments.

The City will make all reasonable modification of policies and procedures 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 welcome in the City offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or modification of policies and procedures to participate in a program, service, or activity of the City should contact the ADA Coordinator at the Office of the Clerk-Treasurer as soon as possible, but no later than 48 hours before the scheduled event. The ADA Coordinator can be contacted at:

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

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

Complaints that a program, service, or activity of the City is not accessible to persons with disabilities should be directed to the ADA Coordinator at the address or phone number listed above.

The City 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 aid/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.

**CITY OF AURORA GRIEVANCE PROCEDURE
UNDER THE AMERICANS WITH DISABILITIES ACT**

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.

RESOLVED, ADOPTED AND APPROVED this 31st day of December, 2012 by the following vote:

VOTE:

	<u>For:</u>	<u>Against:</u>
John Borgman	_____	_____
Mike Crider	_____	_____
Kevin Gerke	_____	_____
Joe Milish	_____	_____
Benjamin Turner	_____	_____

So approved this 31st day of December, 2012.

Donnie Hastings, Jr., Mayor

So adopted by majority vote of the common council, and approved by the mayor, this 31st day of December, 2012.

Randolph Turner, Clerk Treasurer