

RESOLUTION 2021-6

A RESOLUTION ADOPTING THE NOTICE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT IN THE TOWN OF WESTPORT

WHEREAS, the Town of Westport 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 Town Westport formally enact and adopt policies and procedures demonstrating compliance with the Americans With Disabilities Act (ADA); and

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

NOW, THEREFOR BE IT RESOLVED, by the Westport Town Council of the Town of Westport that the following declaration become a written policy of the Town of Westport and be posted in all Municipal Buildings upon passage.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT (ADA)

The Town of Westport adopts the 2010 American with Disabilities Act Standards for Accessible Design and the 2005 Guidelines for Accessible Public Rights. In accordance with the requirements of title II of the American with Disabilities Act of 1990 ("ADA"), the Town of Westport, Indiana will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The Town of Westport, Indiana 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 Westport, Indiana 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 Westport'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 or vision impairments.

Modifications to Policies and Procedures: The Town of Westport 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 Westport town 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 Westport should contact the ADA Coordinator at the Westport Town Hall, 812-591-3500, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Town of Westport 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 a program, service, or activity of the Town of Westport is not accessible to persons with disabilities should be directed to the ADA Coordinator at the Westport Town Hall, 812-591-3500. The Town of Westport 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 person who use wheelchairs.

TOWN OF WESTPORT

Grievance Procedure under The American 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 Town of Westport. The complaint 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 must be used to lodge a complaint, please make reference to Appendix A. Alternative means of filing complaints, such as personal interviews or recording of the complaint will be made available for persons with disabilities upon 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:

ADA Coordinator – Damon Land
207 E Johnson Ave
PO Box 579
Westport, IN 47283

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or their designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, 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 Town of Westport and offer options for substantive resolution of the complaint.

If the response by 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 response to the ADA Coordinator or his designee. Within 15 calendar days after receipt of the appeal, the ADA Coordinator or his designee will meet again with the complainant to discuss the appeal and possible

resolutions. Within 15 calendar days after the meeting, the ADA Coordinator or his designee will respond in writing, and, where appropriate, in a format described above that is accessible to the complainant, with a final resolution of the complaint.

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

ADOPTED AND PASSED by the Town Council of the Town of Westport, Indiana, this 8th day of November, 2021.

Ayes

Nays

Harry Gray III
Joey Brundley
John C. [Signature]

Presented to me by the Town Council of Westport, Indiana on this 8th day of November, 2021.

[Signature]
Gloria Alumbaugh
Clerk-Treasurer



Town of Westport
Phone: (812) 591-3500
Fax: (812) 591-3953
E-mail: townofwestport@comcast.net

Appendix A: Complaint/Grievance Form

Grievant Information

Grievant Name: _____

Address: _____

City, State, Zip: _____

Phone: _____ Alternate Phone #: _____

Person Preparing Complaint Relationship to Grievant (If different from Grievant): _____

Address: _____

City, State, Zip: _____

Phone: _____ Alternate Phone #: _____

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

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

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

