

# **TOWN OF SILVER LAKE**

**American with Disability Act**

**ADA Transition Plan for Public Right of Way**



## **TABLE OF CONTENTS**

- 1. INTRODUCTION**
- 2. TRANSITION PLAN OUTLINE**
  - A. ADA COORDINATOR**
  - B. GRIEVANCE PROCEDURE**
  - C. SELF EVALUATION, COMMITMENT & SCHEDULE**
  - D. ADA STANDARDS AND GUIDELINES**
- 3. IMPLEMENTATION**

**COMPLAINT/GRIEVANCE FORM**

## INTRODUCTION

The American with Disabilities Act (ADA) was enacted on July 26, 1990, and later amended effective January 1, 2009. As written and implemented, the ADA provides civil rights protections to persons with disabilities in the area 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 under the ADA one must have a disability, have a relationship, or have association with someone who has a disability. Persons with a disability are defined as someone who has a physical or mental impairment that limits one or more major life activities. The ADA does NOT specifically name all of the impairments that are covered.

The ADA is distributed into several sections covering the following topics:

- Employment
- Public Service
- Public Accommodations
- Telecommunication
- Miscellaneous Provisions

State and local governments are prohibited from discriminating against people with impairments and from excluding their participation/benefits of programs, services or activities. The transition plan outlined herein is designated provide methods to comply with the ADA and to abide by non-discrimination policies.

## **TRANSITION PLAN OUTLINE**

The following Transition Plan for Public Rights-of Way for the Town of Silver Lake outlined below is to ensure program accessibility for disabled community participants:

### **A. ADA COORDINATOR:**

The Town of Silver Lake has delegated the Silver Lake Clerk-Treasurer as the ADA Coordinator to ensure that any complaints or grievances are filed promptly and satisfactory in a timely manner. The ADA coordinator is to ensure that the responsibilities of compliance are carried out appropriately, this included but not limited to receipt of complaint, investigation, report to proper authorities, response and resolution. The Silver Lake Town Council has adopted Resolution 12-2-12 in which adopts the ADA Coordinator and procedures for all grievances made. Complaints must be directed to the Silver Lake Clerk-Treasurer, ADA Coordinator, PO Box 159, 604 N Jefferson St., Silver Lake, IN 46982.

### **B. GRIEVANCE PROCEDURES:**

Grievance procedures are established to adhere to the standards of ADA requirements. Individuals filing a complaint allege that discrimination was made on the basis of one's disability and prevention of benefits from public services, activities, and programs within the Town of Silver Lake. Complaints should be made in writing and include the grievant name, address, phone number, and a description of the matter including the location and date. Request of personal interviews or recording of complaint will be made available to an individual seeking this method of filing. The grievant or his/her designee should file complaint as soon as possible but no later than 60 days after occurrence.

Within 15 calendar days after receipt of the complaint, the Clerk-Treasurer shall meet with the complainant to discuss the grievance and a possible resolution. Following the meeting the Clerk-Treasurer will have 15 days to respond in writing, audio, or other method to communicate regarding the position of the Town of Silver Lake and offer options of resolution. If this response is not satisfactory the complainant may file an appeal with the Town Superintendent. The Superintendent must meet with the filer within 15 days at which time the complaint will be discussed and options for resolution. The Superintendent must give written, audio, or other method of response within 15 days with the

finalization of a resolution to the matter. Complaints and responses shall be retained by the Town of Silver Lake for a minimum of three years.

### **C. SELF EVALUATION/COMMITMENT**

The Town of Silver Lake has and will continue to conduct an inventory of evaluations of curbs, ramps, crosswalks, and sidewalks for pedestrian travel using aerial and street level viewing and/or photography. Self-evaluation has shown most areas for pedestrian travel including those with disabilities meet the ADA standards. However, the Town is committed to making all the above mentioned compliant with ADA standards. The following methods will be used to accomplish this goal:


1. All new construction, reconstruction, and alterations are within the compliance of ADA standards. This includes grant projects and those controlled and inspected by Public Works Departments.
2. The Town will keep and maintain a log regarding sidewalk replacement annually and as funds exist replace or repair those that do NOT meet standards provided within the ADA.
3. Curbs and ramps will be painted and maintained to remain visible and to meet ADA requirements and inspected on frequently.
4. Curbs, ramps, crosswalks, and sidewalks will be free of obstacles and barriers as to not prohibit use to pedestrians including those with disabilities.
5. Prioritization schedules will be kept and updated on an annual basis.

### **D. ADA STANDARDS AND GUIDELINES:**

The standards are to apply to all new construction with in the Town Right-of-Way. INDOT's designed guidelines and standards drawing will serve as primary standard and guidelines for this plan. Other standards if necessary will be applied by the discretion of the ADA Coordinator and the Town Superintendent.

## IMPLEMENTATION

The Town of Silver Lake is committed to the following guidelines outlined in the Silver Lake Transition Plan and standards required by the ADA. This document will be updated as information becomes available or discovered by the ADA Coordinator. The Town of Silver Lake will remain to be vigilant to meet requirements as to not interfere with pedestrian travel including those individuals with disabilities. A copy of this document will be placed on the Town's website at [www.townofsilverlake.com](http://www.townofsilverlake.com) and the office of the Clerk-Treasurer made available for public view.



Local Public  
Agency Seal

## **The Town of Silver Lake 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 the **Town of Silver Lake**. The Town of Silver Lake'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 tape 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 60 calendar days after the alleged violation to:

**Tonya Conley**  
**ADA Coordinator and Silver Lake Clerk-Treasurer**  
**PO Box 159, Silver Lake, IN 46982**

Within 15 calendar days after receipt of the complaint, **Tonya Conley** or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, **Tonya Conley** or *her* 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 Silver Lake** and offer options for substantive resolution of the complaint.

If the response by **Tonya Conley** or 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 **Jasun Blocher, Town Superintendent or his designee**.

Within 15 calendar days after receipt of the appeal, the **Town Superintendent** or *his* designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **Town Superintendent** or *his* 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 **Tonya Conley** or *her* designee, appeals to the **Town Superintendent** or his designee, and responses from these two offices will be retained by the **Town of Silver Lake** for at least three years.