

Americans with Disabilities Act Policy

I. PURPOSE

The purpose of this policy is to provide guidance and direction regarding the implementation of the Americans with Disabilities Act (ADA) relative to delivery of the City of Ionia's programs, services, and activities. This policy was specifically designed to comply with Title II of the ADA, which applies to all "public entities" (i.e., state and local governments). Accordingly, no qualified person with a disability may be excluded for participating in, or denied the benefits of the programs, services, and activities provided by the City of Ionia because of a disability.

Implementation of the ADA relative to the City of Ionia's Dial-A-Ride Public Transit system shall be handled in accordance with the separate "Dial-A-Ride ADA Complaint Policy."

II. COVERED INDIVIDUALS

1. Disability Defined – A disability is a mental or physical impairment that substantially limits one or more major life activities.
 - a. Impairments can be physical or mental. A physical impairment is a physiological disorder or condition, cosmetic disfigurement or anatomical loss impacting one or more body systems. A mental impairment is a mental or psychological disorder. A full list of impairments can be found at 28 C.F.R. §35.104(1).
 - b. A major life activity is an activity that is central to daily life. These include walking, seeing, hearing, breathing, caring for oneself, sitting, standing, lifting, learning, thinking working and performing manual tasks that are central to daily life. This is not a complete list.
 - c. A substantial limitation means that a person cannot perform a major life activity the way an average person in the general population can, or is significantly restricted in the condition, manner or duration of doing so. This refers to serious, long-term conditions and does not provide protection for minor, short-term conditions.
2. Qualified Person with a Disability – A "qualified individual with a disability" is someone who meets the essential eligibility requirements for a program, service or activity with or without (1) reasonable modifications to rules, policies, or procedures; (2) removal of physical and communication barriers; and (3) providing auxiliary aids or services for effective communications.

III. EXAMPLES OF REASONABLE MODIFICATIONS

Reasonable modifications of rules, policies, and procedures avoid discriminating against people with disabilities. Examples include:

1. Granting a zoning variance to allow a ramp to be built inside a set-back.
2. Permitting a personal attendant to help a person with a disability to use a public restroom designated for the opposite gender.
3. Permitting a service animal in a place where animals are typically not allowed, such as City Hall.
4. Providing a qualified sign language interpreter or real-time captioning at a public meeting.

Note that reasonable modifications do not include fundamental alterations. A fundamental alteration is a change to such a degree that the original program, service, or activity is no longer the same.

IV. ADA COORDINATOR

The City Manager of the City of Ionia or his/her designee shall serve as the ADA Coordinator. The ADA Coordinator is responsible for coordinating ADA compliance. The ADA Coordinator is available at Ionia City Hall, 114 North Kidd Street, Ionia, MI, 616-527-5776.

The ADA Coordinator shall ensure the City's ADA Notice is provided to the public in all facilities accessible to the public and on the City's website. The ADA Coordinator shall also receive and investigate ADA complaints following the ADA grievance procedure.

V. ADA GRIEVANCE PROCEDURE

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act (ADA) of 1990, as amended. 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 City of Ionia. The City of Ionia's Personnel Policy Manual 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 digital 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 designate as soon as possible but no later than 60 calendar days after the alleged violation to:

City Manager/ADA Coordinator
City of Ionia
114 N. Kidd Street, PO Box 496
Ionia MI 48846

Within 15 calendar days after receipt of the complaint, the ADA Coordinator 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 ADA Coordinator 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 tape. The response will explain the position of the City of Ionia and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator 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 Mayor of the City of Ionia or his/her designee.

Within 15 calendar days after receipt of the appeal, the Mayor or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Mayor 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 ADA Coordinator or his/her designee, appeals to the Mayor or his/her designee, and responses from these two offices will be retained by the City of Ionia for at least three (3) years.



NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

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

Employment: The City of Ionia 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 City of Ionia 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 of Ionia’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 City of Ionia 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 City of Ionia 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 city of Ionia, should contact the office of the City Manager/ADA Coordinator as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City of Ionia 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 City of Ionia is not accessible to persons with disabilities should be directed to the City Manager, City of Ionia, 114 N. Kidd Street, Ionia MI 48846, 616-527-5776.

The City of Ionia 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.



CITY OF IONIA

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