

**RESOLUTION** 27 (2011)  
**A RESOLUTION OF THE TOWN COUNCIL  
OF THE TOWN OF ZIONSVILLE, INDIANA  
ADOPTING THE AMERICANS WITH DISABILITIES ACT (ADA)  
ADA COORDINATOR AND PROCEDURES**

**WHEREAS**, the Federal government enacted the Americans with Disabilities Act of 1990 (ADA) to prevent discrimination of the physically and mentally disabled relating to employment and access to public facilities; and

**WHEREAS**, in compliance with Title II of the ADA the Town of Zionsville shall name an ADA Coordinator; and

**WHEREAS**, in compliance with Title II of the ADA the Town of Zionsville shall adopt a grievance procedure for resolving complaints alleging violation of Title II of the ADA; and

**WHEREAS**, in compliance with Title II of the ADA the Town of Zionsville shall publish notice to the public regarding the ADA;

**WHEREAS**, in compliance with Title II of the ADA the Town of Zionsville shall post the ADA coordinator's name, office address, and telephone number along with the ADA Notice and ADA grievance procedure on its website.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Zionsville, Indiana:

The Director of Planning is designated as the ADA Coordinator for the Town of Zionsville.

The Notice under the Americans with Disabilities Act, a copy of which is attached hereto, is adopted as the Town of Zionsville Notice under the Americans with Disabilities Act.

The Town of Zionsville Grievance Procedure under the Americans with Disabilities Act, a copy of which is attached hereto, is adopted as the grievance procedure for addressing complaints alleging discrimination on the basis of disability in the provision of services, activities, programs or benefits by the Town of Zionsville.

In compliance with Federal and State laws as set forth above, the Town Council resolves to post the required information regarding the ADA coordinator, Notice under the Americans with Disabilities Act, and Town of Zionsville Grievance Procedure under the Americans with Disabilities Act on its website and at such other locations as may be determined from time to time.

## NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Zionsville will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

***Employment:*** The Town of Zionsville 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 Zionsville 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 Zionsville'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:*** Town of Zionsville 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 Town of Zionsville 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 Zionsville, should contact the office of Town of Zionsville ADA Coordinator, 1100 West Oak Street, Zionsville, IN 46077, (317) 873-8247, as soon as possible but no later than 48 hours before the scheduled event. The ADA does not require the Town of Zionsville 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 Zionsville is not accessible to persons with disabilities should be directed to the Town of Zionsville's ADA Coordinator. The Town of Zionsville 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.

# **Town of Zionsville**

## **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 Zionsville. The Town of Zionsville'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:

**ADA Coordinator and Director of Planning**  
**1100 West Oak Street**  
**Zionsville, IN 46077**

Within 15 calendar days after receipt of the complaint, 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's or their 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 Zionsville and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or their 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 Town Manager or their designee.

Within 15 calendar days after receipt of the appeal, the Town Manager or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Town Manager or their 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 ADA Coordinator or their designee, appeals to the Town Manager or their designee, and responses from these two offices will be retained by the Town of Zionsville for at least three years.