

City Of Florence ADA Transition Plan



Americans with Disabilities Act (ADA) Information: Materials can be provided in alternative formats by contacting the City of Florence ADA Coordinator, 256-760-6360, adacoordinator@florenceal.org, or 110 W College Street Ste. 107 Florence, AL 35630.

Table of Contents:

1. Introduction
2. Commitment
3. Self- Evaluation
4. ADA Liaison Team
5. Resources
6. Existing Facilities and Alteration Policies
7. Determination of Undue Burden
8. Financial Commitments
9. Attachments
 - a. Notification Under ADA
 - b. Alternate Dispute Procedures
 - c. Accommodation Request and Discrimination Complaint Form

➤ Introduction:

The Americans with Disabilities Act (ADA) is a civil rights law that mandates equal opportunity for individuals with disabilities. The ADA prohibits discrimination in access to jobs, public accommodations, government services, public transportation and telecommunications. The City of Florence has undertaken a comprehensive re-evaluation of its policies, programs and facilities to determine the extent to which individuals with disabilities may be restricted in their access to City services, activities and facilities.

In and around 1992 and 1993 the City of Florence completed its initial ADA Self-Evaluation and Transition Plan. The following document seeks to update the earlier plan, this document will continue to guide the planning and implementation of necessary program and facility modifications.

Federal Accessibility Requirements

The development of a transition plan is a requirement of the federal regulations implementing the Rehabilitation Act of 1973; which require that all organizations receiving federal funds make their programs available without discrimination to persons with disabilities. The Act, which has become known as the "civil rights act" of persons with disabilities, states that: No otherwise qualified [disabled] individual in the United States shall, solely by reason of [disability], be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. (Section 504)

Subsequent to the enactment of the Rehabilitation Act; Congress passed the Americans with Disabilities Act on July 26, 1990. The Department of Justice's Title II regulation adopts the general prohibitions of discrimination established under Section 504 and incorporates specific prohibitions of discrimination for the ADA. Title II provides protections to individuals with disabilities that are at least equal to those provided by the nondiscrimination provisions of Title V of the Rehabilitation Act. This legislative mandate, therefore, prohibits the City from, either directly or indirectly through contractual arrangements: Denying persons with disabilities the opportunity to participate in services, programs, or activities that are not separate or different from those offered others, even if the City offers permissibly separate or different activities.

Title II Requirements

The City of Florence is obligated to observe all requirements of Title I in its employment practices; Title II in its policies, programs, and services; any parts of Titles II and V that apply to the City and its programs, services, or facilities; and all requirements specified in the Americans with Disabilities Act Access Guidelines of 2004 (ADAAG) that apply to facilities and other physical holdings.

Title II has the broadest impact on the City. A self-evaluation is required and intended to examine programs, activities and services, identify problems or physical barriers that may limit accessibility by the disabled, and describe potential compliance solutions.

Included in Title II are administrative requirements for all government entities employing more than fifty (50) people. These administrative requirements are:

- Designation of a person who is responsible for overseeing Title II compliance;
- Development of an ADA complaint procedure;
- Completion of a self-evaluation; and
- Development of a transition plan if the self-evaluation identifies any structural modifications necessary for compliance. The transition plan must be retained for three years.

The 2010 ADA revised regulations amend the Department's 1991 title II regulation (State and local governments), 28 CFR Part 35, and the 1991 title III regulation (public accommodations), 28 CFR Part 36. The 2010 Standards include a general "safe harbor" under which elements in covered facilities that were built or altered in compliance with the 1991 Standards would not be required to be brought into compliance with the 2010 Standards until the elements were subject to a planned alteration.

ADA Coordinator

In 1992, the City Council designated the Human Resources Director as the ADA Coordinator. This position is point of contact for reviewing complaints and addressing any ADA concerns regarding programs, services, and activities of the City of Florence. The City's ADA Coordinator is:

City of Florence
Human Resources Director
110 W College Street
Ste. 107
Florence, AL 35630
256-760-6360 Phone
256-740-4140 Fax
adacoordinator@florenceal.org

To request an ADA accommodation or file all ADA grievance; contact the ADA Coordinator and follow the established ADA Alternate Dispute Resolution Procedures.

ADA Accommodation and Grievance

The City of Florence, Alabama, has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Justice Department regulations implementing the Americans with Disabilities Act of 1990. The ADA " ... prohibits discrimination on the basis of disability by public entities" (Sec. 35.101). Complaints should be addressed to: City of Florence ADA Coordinator, (HR Director) 110 W College Street Ste. 107 Florence, AL 35630 or adacoordinator@florenceal.org or 256-760-6360.

1. A complaint should be filed in writing, contain the name and address of the person filing it, briefly describe the alleged discriminatory action, and signed by the complainant or by someone authorized to do so on his or her behalf. (Sec. 35.170).
2. A complaint should be filed within 15 days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination which occurred before this grievance procedure was in place will be considered on a case-by-case basis.)(Sec. 35.170).
3. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation shall be conducted by City of Florence ADA Coordinator and appointed ADA Liaison team. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by and a copy forwarded to the complainant no later than 45 days after its filing.
5. The ADA coordinator shall maintain the files and records of the City of Florence relating to the complaints filed.
6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within to City of Florence ADA Coordinator, 110 W College Street Ste. 107 Florence, AL 35630 or adacoordinator@florenceal.org or 256-760-6360.
7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as filing of an ADA complaint with the responsible federal department or agency as listed under (Sec. 35.190). Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards, and to assure that the City of Florence complies with the ADA.

DEFINITIONS

As used in this Transition Plan, the following terms shall have the meaning ascribed to them in this Section, which are consistent with the provisions of existing federal and state law, including the regulations promulgated there under. Except to the extent expressly stated to the contrary, any term not expressly defined in this section or elsewhere in this Transition Plan that has an expressly defined meaning in either the ADA or the regulations promulgated there under ("Regulations") shall have the meaning ascribed to it by the ADA or the Regulations, in that order of preference. All other terms shall be interpreted according to their plain and ordinary meaning,

ADA: "ADA" means and refers to the Americans with Disabilities Act

ADAAG: "ADAAG" means and refers to the Americans with Disabilities Act Access Guidelines of 2004, codified at Appendix A to 28 Code of Federal Regulations Part 36 and at Appendix A to 49 Code of Federal Regulations part 37. "ADAAG Standards" means and refers to physical conditions that meet the new construction and/or alterations standards set forth in the ADAAG guidelines. Note the City of Florence subscribes to ADAAG and not the Uniform Federal Accessibility Standards ("UFAS").

Auxiliary Aids and Services: The term "auxiliary aids and services" includes, qualified interpreters or other effective methods of making orally delivered materials available to individuals with hearing impairments; qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments; and acquisition or modification of equipment or devices; and other similar services and actions.

Compliance Period: "Compliance Period" means and refers to the period of time for which this Transition Plan will be in effect. The Transition Plan shall become effective upon Approval of the City Council and may remain in effect for up to 30 years. The City may dissolve the Transition Plan at any time upon a showing that is in full compliance or upon a showing that it has met or exceeded the monetary obligations specified in this Transition Plan. Alternatively, the Transition Plan will remain in effect until it dissolves automatically 30 years after Approval of the City Council.

Complaint Curb Ramp: "Compliant Curb Ramp" means and refers to a curb ramp that is constructed to comply with state and/ or federal law (whichever provides the higher access standard) in place at the time of construction. In the case of a location where it is Structurally Impracticable or Technically Infeasible to build a fully compliant curb ramp, or where construction of a fully compliant curb ramp would constitute a Fundamental Alteration of a service, program, or activity of the City or an Undue Burden on the City, a curb ramp that complies with access standards, or was constructed to the standards existing at the time of construction, or to the maximum extent feasible, will constitute a Compliant Curb Ramp as long as the requirements set forth in this Transition Plan for justifying the reasons for the City to avoid full compliance are met"

Curb Ramp "Curb Ramp" is used interchangeably with "curb cut."

Detectable Warnings: "Detectable Warnings" means and refers to truncated domes which provide a smooth surface at the transition between the curb and the street or other hazardous vehicular crossings, assisting pedestrians with Vision Disabilities in determining when there may be the threat of vehicular traffic.

Disability: "Disability" means, with respect to an individual, a physical or mental impairment that substantially limits or just limits one or more of the major life activities of such individual; a record of such impairment; or being regarded as having such impairment.

Discrimination on the Basis of Disability: "Discrimination on the Basis of Disability" means to, limit, segregate, or classify a citizen in a way that may adversely affect opportunities or status because of the person's disability; *limit*, segregate, or classify a participant in a program or activity offered to the public in a way that may adversely affect opportunities or status because of the participant's disability; participate in a contract that could subject a qualified citizen with a disability to discrimination; use any standards, criteria, or methods of administration that have the effect of discriminating on the basis of disability; deny equal benefits because of a disability; fail to make reasonable accommodations to known physical or mental limitations of an otherwise qualified individual unless it can be shown that the accommodation would impose an undue burden on the City's operations; use selection criteria that exclude otherwise qualified people with disabilities from participating in the programs or activities offered to the public; and fail to use tests, including eligibility tests, in a manner that ensures that the test results accurately reflect the qualified applicant's skill or aptitude to participate in a program or activity.

Fundamental Alteration: "Fundamental Alteration" means and refers to an action that, if taken by the City, would result in a fundamental alteration in the nature of the service, program or activity of the City. If the City claims that any action otherwise required by this Transition Plan would constitute a Fundamental Alteration, the City shall have to demonstrate that such alteration would result. The decision that an action would constitute a Fundamental Alteration must be recommended by the ADA Coordinator and City Engineer, or his or her designee to the Mayor's approval, after considering all funds and alternatives available and must be accompanied by a written statement of the reasons for reaching that conclusion.

Mobility Disability: "Mobility Disability" means and refers, with respect to an individual, to any physical or mental impairment or condition that substantially limits an individual's ability to move his or her body or a portion of his or her body and includes, but is not limited to, orthopedic and neuromotor disabilities and any other impairment or condition that limits an individual's ability to walk, maneuver around objects, ascend or descend steps or slopes and operate controls. An individual with a Mobility Disability may use a wheelchair or motorized scooter for mobility, or may be Semi-Ambulatory.

Pedestrian Rights-of-Way: "Pedestrian Rights-of-Way" (PROW) means and refers to all sidewalks over which the City of Florence has responsibility or authority as well as all Curb Ramps and crosswalks serving such sidewalks and any other pathways used by pedestrians along public rights-of-way, including pedestrian pathways through public parking lots.

Physical or Mental Impairments: "Physical or mental impairments" may include, but are not limited to vision, speech, and hearing impairments; emotional disturbance and mental illness; seizure disorders; mental retardation; orthopedic and neuromotor disabilities; learning disabilities; diabetes; heart disease; nervous conditions; Cancer; Asthma; Hepatitis B; HIV infection conditions; and drug addiction if the addict has successfully completed or is participating in a rehabilitation program and no longer uses illegal drugs.

Record of Impairment: An individual is disabled if he or she has a history of having an impairment that substantially limits the performance of a major life activity; or has been diagnosed, correctly or incorrectly, as having such impairment.

Regarded as Having a Disability: An individual is disabled if she or he is treated or perceived as having an impairment that substantially limits major life activities, although no such impairment exist.

Statutory Defenses: "Statutory Defenses" means and refers to the City's right to assert under this Transition Plan that removal of any barrier or installation of a Compliant Curb Ramp is not required because such barrier removal or curb ramp installation would be Technically Infeasible, or Structurally Impracticable, or that it would constitute an Undue Burden or Fundamental Alteration.

Structurally Impracticable : "Structurally Impracticable" means and refers to circumstances in which the unique characteristics of terrain prevent the incorporation of accessibility features. If it is structurally impracticable to provide full access at any location along pedestrian rights-of-way, the City shall comply with access requirements to the extent that it is not structurally impracticable to do so. (See ADAAG § 4.1.1 (5) (a)).

Substantial Limitations of Major Life Activities: An individual is disabled if she or he has a physical or mental impairment that (a) renders her or him unable to perform a major life activity, or (b) substantially limits the condition, manner, or duration under which she or he can perform a particular major life activity in comparison to others.

Major life activities are functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. In determining whether a physical or mental impairment substantially limits the condition, manner, or duration under which an individual can perform a particular major life activity in comparison to other people, the following factors shall be considered: The nature and severity of the impairment/ The duration or expected duration of the impairment; and The permanent or long-term impact (or expected

impact) of or resulting from the impairment.

Technically Infeasible: "Technically Infeasible" means, with respect to an alteration of a building, facility or Pedestrian Rights-of-Way, that it has little likelihood of being accomplished because existing physical or site constraints or a lack of public right of way prohibit modification or addition of elements, spaces, or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility. (See ADAAG § 4.1.6(1)G).

Third Party Entity: "Third-Party Entity" means an entity other than the City of Florence that controls certain barriers or elements of barriers in a Pedestrian Rights-of-Way. Transit agencies and local utilities are examples of Third Party Entities.

Undue Burden: "Undue Burden" means and refers to an action that, if taken by the City of Florence, would result in an undue financial and administrative burden. In order to demonstrate that removal of a barrier would constitute an Undue Burden, the decision must be recommended by the ADA Coordinator and City Engineer, or his or her designee, to Mayor for approval after considering all resources available from various funding sources for removal of barriers and must be accompanied by a written statement of said reasons for reaching that conclusion. In preparing such a statement, the City may consider the usability of the existing facilities.

Qualified Individual with a Disability: "Qualified Individual with a Disability" means an individual with a disability who, with or without reasonable modification to rules, policies, or practices; the removal of architectural, communication, or transportation barriers; or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the City.

Commitment

The City of Florence is committed to keep policies, practices, procedures, and programs equally available to all individuals. The City strives to eliminate barriers that may prevent persons with disabilities from enjoying access to programs, facilities, and services. The process of making City facilities and programs accessible to all individuals will be ongoing; the City will continue to review accessibility issues such as resolution of complaints and reasonable modifications to programs. The City will also periodically evaluate the success of improving access to programs by the established practices and procedures

Questions, concerns, complaints or request for additional information regarding Americans with Disabilities Act (ADA) may be forwarded to the City ADA Coordinator, Human Resources Director, at 256-760-6360 or adacoordinator@florenceal.org or 110 W College Street, Ste. 107 Florence, AL 35630.

The City of Florence has developed an ADA team comprised of knowledgeable employees within key departments throughout the city. This makes it easier for members of the public to identify someone to help with questions and concerns about disability discrimination. ADA Liaisons serve as Subject Matter Experts, so that department specific questions may be answered quickly and consistently. ADA Liaisons names appear of the City of Florence ADA webpage. The team strives to attend annual ADA training sessions to stay up to date on compliance regulations.

This self-evaluation and transition plan is an on-going, dynamic document that will need periodic review and updating. In its continuing efforts to maintain compliance, the City has several mechanisms in place to provide for an ongoing update of these documents. Both the City's designated ADA Coordinator and other ADA Liaison members are empowered with responsibility of staying abreast of any new regulations directly related to ADA. Updates and implementation activities will be documented in the City's Transition Plan by summarizing activities and progress.

Self-Evaluation

An ADA team evaluated City facilities, process, policies, procedures, activities and programs heavily in the early 1990's. Self-evaluation and transition plans were created at that time. Professionals toured and evaluated facilities alongside City Officials who utilized the "Quick Look" Barrier checklist to guide their evaluations. Individuals with disabilities were asked about the accessibility to facilities they utilized. They were also asked to tour selected facilities to offer suggestions for improvements.. Over the next several years the City made various improvements based upon the observations from the self-evaluation and recommendations of the transition plan.

Recommendations were made that all handicapped parking spaces be clearly labeled with new signs placed in locations currently without signage. Spaces should be repainted if current painting is faded. Accessibility signs should be added to all appropriate doors in City Hall. Drinking cups should be placed close to water fountains on all floors but specially the basement fountain due to low pressure. These goals were set out to be achieved by end of 1993. A major renovation of the 2nd floor restrooms in City Hall were required and to be completed prior to end of the year in 1995. The renovations included removing a back stall, lowering sinks and faucets, and widening doors. An effort to update all signage throughout City Hall, locating signage at the appropriate height as well as adding braille to all new signs was to be completed in 1994. All doorways within City Hall should be widened to meet current ADA standards. This was to be completed before the end of 1995. Assistive Listening devices were to be purchased for the Auditorium and signage acknowledging their availability installed. This was to be accomplished no later than end of 1993. A TDD machine was determined to be needed for the EMA department and the Mayor Office. Both machines were to be in place by 1994. It was recommended that all printed materials made available to the public should be available in alternate formats. Immediately as a request was made for alternate formats, they were evaluated and accommodated when at all possible. The City made an effort to be mindful and trim back bushes at all locations, specifically at Kennedy Douglas Center, and all entrances around City Hall and Auditorium. A flashing light was determined to be needed at the crosswalk from the Tennessee Street Parking deck to City Hall facilities. Due to the nature of the expense it was a goal to have this in place as quickly as funds would allow, suggestion was made to strive for completion within the next 8-10 years. It was advised that crosswalks in and around the drive thru area outside of City Hall should be repainted, this was to be accomplished by 1993. It was recommended the following improvements be made at the Electricity Warehouse: the ramp should be 10 degrees or less in slope with rails on both sides with a handicapped parking space clearly designated close to the ramp, restrooms should have "Employee Only" sign to show not available for public use, and new signage should be purchased to clearly direct public to accessible entrances and office location. These tasks were set to be accomplished by City employees as quickly as time permitted but before end of 1994.

A suggestion was made that all request for accommodations be clearly documented. The City Council also approved an alternative dispute resolution as an internal grievance procedure providing for prompt and equitable resolution of complaints if and when an accommodation request was not meet accurately or timely. An interview sheet was given to each department for discussion of essential functions and reasonable accommodations. All job applications must be

for a specific position therefore the City would not accept an application for "any or all available positions. A physical capability evaluation for new employees whose job have heavy physical demand was added as part of post offer physicals, a job description was sent to the Occupational Health Physician to aid in his evaluation. All applicants should be asked job specific questions during the interview process and a review of illegal questions should be covered with those conducting interviews. The above mentioned recommendations were evaluated immediately and where to be implemented before the end of 1993

It was suggested that the curb be evaluated on Mobile Street near the A.G. Edwards location for a possible curb cut. It was determined this was not readily achievable but would be brought up to current standards when the street was resurfaced. Mobile Street was resurfaced and brought up to current standards in 2008.

The City has continued to remain committed to stay in compliance with current ADA standards and practices. All requests are reviewed and evaluated. The City has a request from available and will also take verbal request. Whoever receives the request ensures it is properly documented, gathers all needed information need for an evaluation and the appropriate subject matter expert researches and evaluates the request. The City strives to make any adjustments or improvements which are required by law or are considered a reasonable accommodation in a timely manner.

ADA Liaison Responsibility:

ADA liaisons are available to answer ADA departmental questions from concerned citizens. ADA liaisons can hear and prioritize any future ADA accommodation request if needed. The liaisons also are responsible for reviewing any grievances that may come to the City. The grievance procedures and forms are posted on Pubic bulletin boards throughout the City and on the City's ADA webpage.

Resources:

The City of Florence has multiple resources for disabled individuals from knowledgeable staff, specialized equipment, and an interactive website. The ADA webpage on the City website is the centralized location for most all information needed. You will find the ADA Coordinator contact information, a list of the ADA Liaison team members, ADA request and complaint forms, grievance procedures, City transition plan document, and links to other ADA resources. All request for accommodations should made as soon as you know of the need but not later than 5 business days prior to the need. To accommodate persons with disabilities any information found on this webpage is available in alternate formats upon request. All requests should be directed to the ADA Coordinator at 256-760-6360, adacoordinator@florenceal.org, or 110 W College Street Ste. 107 Florence, AL 35630.

Existing Facilities, Accessibility, and Alteration Policies:

The City of Florence strives to ensure all newly constructed facilities, altered portions of existing facilities and elements added to existing facilities meet all current standards. The City of Florence works to respond timely to citizen reports of damaged city property or facilities. The city takes proactive measures of identifying areas of need utilizing field maintenance personnel regular evaluations.

Recognizing that the City has limited funds and cannot immediately make all buildings and facilities fully accessible, City staff will utilize the following criteria as the basis for prioritizing the removal of architectural barriers:

- Quantity and frequency of public use.
- Uniqueness of the facility: Can the programs offered in this facility be shifted to an alternative, accessible location?
- Age or condition of the facility: Age or condition should not be major criteria, but can be factors if the building is scheduled to be vacated or demolished.
- Geographic distribution: Distribution of services throughout the City.
- Critical nature of the programs offered at the facility: Police, Medical Care, etc.

The city attempts to ensure all public meetings, hearings, comment periods, public programs, services are offered in a manner that is readily accessible to everyone, including individuals with disabilities. The city will continue to provide accessible facilities such as parking, including van accessible parking, path of travel, entry doors, signage, and transaction counters at the customer service locations. If alternative locations for providing accessible services are required, we strive to provide those services in the most integrated setting, without stigmatizing the user. When feasible we provide standard equipment at each site where programs are administered to facilitate basic communications access using alternative formats. Equipment may include, but not be limited to, paper and pencil, hearing devices, an enlarging copy machine, and access to TDD/TTY or relay service technology. If the equipment is not onsite, equipment may be readily available within another City department. A request can be made and evaluated. The city allows the use of service animals to assist persons in accessing programs, activities and services in City facilities and City offered programs.

The city seeks to develop criteria for determining reasonable modifications to provide program accessibility, which may include acquisition or redesign of equipment, assignment of aides to persons with disabilities, and provision of services at alternative accessible site. An approach should include:

- Requests for reasonable services. Identify which aspects of the program limit participation and what modification can be made.
- The department offering the program or service shall document the modification(s) that was offered and the response of the person with the

disability to the modification(s) offered. This documentation shall be filed with the ADA Coordinator.

- If individuals are not satisfied with the results of this process, they should be directed to the City's ADA grievance procedures.
- accommodations and modifications should be directed to the ADA Coordinator and department responsible for the program or

The city has a longstanding commitment to provide program information in alternative formats on an individual basis as requested.

If you are a person with a disability and require information or materials in an alternate format, or if you require any other accommodations please contact the City ADA Coordinator, at 256-760-6360, adacoordinator@florenceal.org or 110 W College Street Ste. 107 Florence, AL 35630.

City of Florence maintains an equal employment opportunity policy and does not discriminate in hiring practices or terms and conditions of employment. All applicants and employees receive equal employment opportunities and all Human Resources decisions, actions, and conditions affecting employees, including, but not limited to assignment, transfer, promotion, and compensation, will be governed by the principles of equal opportunity.

Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, or discipline because of political or religious opinions or affiliations or because of race, religion, national origin, sex, age (as defined by Federal law), disability, or veteran status shall be prohibited.

Determination of Undue Burden:

The City of Florence makes reasonable modifications in policies, procedures, facilities, and activities that deny equal access to individuals with disabilities unless a fundamental alteration would result. According to the Title II Technical Assistance Manual Covering State and Local Government Programs and Services:

“A public entity does not have to take any action that it can demonstrate would result in a fundamental alteration in the nature of its program or activity or in undue financial and administrative burdens. This determination can only be made by the head of the public entity or his or her designee and must be accompanied by a written statement of the reasons for reaching that conclusion. The determination that undue burdens would result must be based on all resources available for use in the program. If an action would result in such an alteration or such burden, the public entity must take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with disabilities receive the benefits and services of the program or activity.”

Financial Commitments:

It is not financially feasible to immediately remove all barriers to access. The city reserves the right to modify barrier removal priorities in order to allow flexibility in accommodating community request, petitions for reasonable modifications from persons with disabilities, change to city programs, funding constraints and opportunities. It is the goal of this transition plan to provide access to the programs, activities, and services provide by the city. Interim measures will be explored and implemented in order to provide programmatic access to public pending implementation of physical barrier removal.

Attachment A



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 City of Florence will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: City of Florence 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: City of Florence will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in City of Florence 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: City of Florence 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 Florence 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 City of Florence, should contact the office of HR Director/ADA Coordinator at 110 W College Street Florence, AL 35630, 256-760-6360 or adacoordinator@florenceal.org as soon as possible but no later than 5 business days before the scheduled event.

The ADA does not require the City of Florence 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 City of Florence is not accessible to persons with disabilities should be directed to HR Director/ADA Coordinator at 110 W College Street Florence, AL 35630, 256-760-6360 or adacoordinator@florenceal.org.

City of Florence 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.

Attachment B

The City of Florence, Alabama, has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Justice Department regulations implementing the Americans with Disabilities Act of 1990. The ADA " ... prohibits discrimination on the basis of disability by public entities" (Sec. 35.101).

Complaints should be addressed to: City of Florence ADA Coordinator, (HR Director) 110 W College Street Ste. 107 Florence, AL 35630 or adacoordinator@florenceal.org or 256-760-6360.

1. A complaint should be filed in writing, contain the name and address of the person filing it, briefly describe the alleged discriminatory action, and signed by the complainant or by someone authorized to do so on his or her behalf. (Sec. 35.170).
2. A complaint should be filed within 15 days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination which occurred before this grievance procedure was in place will be considered on a case-by-case basis.)(Sec. 35.170).
3. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation shall be conducted by City of Florence ADA Coordinator and appointed ADA Liaison team. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by and a copy forwarded to the complainant no later than 45 days after its filing.
5. The ADA coordinator shall maintain the files and records of the City of Florence relating to the complaints filed.
6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within to City of Florence ADA Coordinator, 110 W College Street Ste. 107 Florence, AL 35630 or adacoordinator@florenceal.org or 256-760-6360.
7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as filing of an ADA complaint with the responsible federal department or agency as listed under (Sec. 35.190). Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards, and to assure that the City of Florence complies with the Americans with Disabilities Act.

Attachment C



Title II of the Americans with Disabilities Act Section 504 of the Rehabilitation Act of 1973 Discrimination Request and Complaint Form

Instructions: Please fill out this form completely, in black ink or type. Sign and return to the address on page 5. This form is used for both making a request for an accommodation as well as filing a complaint regarding an accommodation. **Please note all request should be made as soon as you know of the need but no later than 5 business days prior to the need for accommodation.**

Complainant: _____

Address: _____

City, State and Zip Code: _____

Telephone Number: _____

Alternate Telephone Number: _____

Person Discriminated Against:
(if other than the complainant)

Address:

City, State, and Zip Code:

Telephone Number:

Alternate Telephone Number:

Government, or organization, or institution which you believe has discriminated:

Name:

Address:

County:

City:

State and Zip Code:

Telephone Number:

When did the discrimination occur? Date:

Describe the acts of discrimination providing the name(s) where possible of the individuals who discriminated (use space on last page if necessary):

Have efforts been made to resolve this complaint through the internal grievance procedure of the government, organization, or institution?

Yes _____ No _____

If yes: what is the status of the grievance?

Has the complaint been filed with another bureau of the Department of Justice or any other Federal, State, or local civil rights agency or court?

Yes _____ No _____

If yes:

Agency or Court:

Contact Person:

Address:

City, State, and Zip Code:

Telephone Number:

Date Filed:

Do you intend to file with another agency or court?

Yes _____ No _____

Agency or Court:

Address:

City, State and Zip Code:

Telephone Number:

Additional space for answers:

Signature: _____

Date: _____

**Return to:
City of Florence ADA Coordinator
110 W College Street Ste. 107
Florence, AL 35630**