

# 2012 Self-Evaluation and ADA Transition Plan



Prepared For The



**The Town of Cicero**  
Hamilton County, Indiana  
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Prepared By



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## I. Introduction

### A. Background

In November and December of 2012, the Town of Cicero completed its initial self-evaluation which included pedestrian facilities located inside and outside of the public right-of-way. The 2010 ADA Standards for Accessible Design and the Proposed Accessibility Guidelines for Pedestrian Facilities were utilized to determine compliancy.



In summary, the 2010 ADA Standards for Accessible Design was developed primarily for buildings and facilities located outside of the public right-of-way; not specifically for features located within the public right-of-way. In order to fill this void, the United States Access Board created the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way. Although the aforementioned guideline is still in the rulemaking stage, the Federal Highway Administration has indicated that this document may be used as a best practice for areas not fully addressed by the 2010 ADA Standards for Accessible Design.

The Proposed Accessibility Guidelines for Pedestrian Facilities ensure that the following facilities for pedestrian circulation and use located in the public right-of-way are readily accessible to and usable by pedestrians with disabilities:

- Sidewalks, pedestrian overpasses and underpasses, and other pedestrian circulation paths, including requirements for pedestrian access routes, alternate pedestrian access routes when pedestrian circulation paths are temporarily closed, and protruding objects along or overhanging pedestrian circulation paths;
- Pedestrian street crossings, medians, and pedestrian refuge islands, including requirements for curb ramps or blended transitions, and detectable warning surfaces;
- Pedestrian street crossings at roundabouts, including requirements for detectable edge treatments where pedestrian crossing is not intended, and pedestrian activated signals at multi-lane pedestrian street crossings;
- Pedestrian street crossings at multi-lane channelized turn lanes at roundabouts and at other signalized intersections, including requirements for pedestrian activated signals;
- Pedestrian signals, including requirements for accessible pedestrian signals and pedestrian pushbuttons;
- Transit stops and transit shelters for buses and light rail vehicles, including requirements for boarding and alighting areas at sidewalk or street level, boarding platforms, and route signs;



- Pedestrian at-grade rail crossings, including requirements for flangeway gaps;
- On-street parking that is marked or metered, and passenger loading zones;
- Pedestrian signs, including requirements for visible characters on signs and alternative requirements for audible sign systems and other technologies;
- Street furniture for pedestrian use, including drinking fountains, public toilet facilities, tables, counters, and benches; and
- Ramps, stairways, escalators, handrails, doors, doorways, and gates.

This self-evaluation and Transition Plan reflects the Town of Cicero's continued efforts to meet the requirements established under the ADA and its implementation regulations. The Town of Cicero prepared this self-evaluation and Transition Plan in accordance with Title II of the Americans with Disabilities Act of 1990, as amended and its implementing regulations.

The purpose of this self-evaluation is to examine the Town of Cicero's current facilities, policies, and practices to identify and correct those items that create artificial access barriers for persons with disabilities. This Transition Plan outlines the recommended procedures for implementing and scheduling remedial work needed to comply with the ADA.

This Transition Plan details the methods and procedures that the Town of Cicero will use to monitor its activities and facilities in order to determine what changes need to be made to ensure persons with disabilities are not excluded from programs, services, and activities. It is important to note that a portion of State Road 19 (Peru Street) is located within the corporate limits of the Town of Cicero. The facilities located within the right-of-way of State Road 19 (Peru Street) are not included in this evaluation since this portion is within the jurisdiction of the Indiana Department of Transportation.

As part of the contractual agreement with the Indiana Department of Transportation, the Town of Cicero has voluntarily complied with the relevant nondiscrimination laws. The Town of Cicero has designated Mr. Paul Munoz as the ADA/504 Coordinator, who is responsible for overseeing compliance with the nondiscrimination laws as they relate to persons with a disability.

In addition to this self-evaluation and Transition Plan, the Town of Cicero is currently committed to fund over \$700,000 in local funds for the Jackson Street Causeway Project which is scheduled to begin in 2013. The project is expected to be complete in 2014. The causeway development is ultimately a pedestrian conveyance and accessibility project. This project will provide ADA compliant access to and from the east and west sides of Cicero and will alleviate a safety/accessibility concern which has been an ever increasing issue due to the



rapid growth in population and the physical barrier created by Morse Reservoir. Based upon this existing commitment, the Town of Cicero will begin implementation of this Transition Plan in the year 2016. This schedule will allow a one-year time period where the Town of Cicero can accrue additional funds in preparation for this Transition Plan.



## II. Seven Steps to Compliance

The purpose of this self-evaluation and Transition Plan is to develop a strategy with specific and obtainable goals that will ensure that the Town of Cicero meets the administrative requirements set forth by the ADA and Section 504 of the Rehabilitation Act of 1973. In addition to establishing a plan with measurable milestones, this document will serve as an instrument for any persons interested in the Town of Cicero's ADA compliance efforts.

The ideal scenario for meeting the requirements of the Act with regard to the accessibility of facilities in the public right-of-way involves the following seven steps:

1. Designate an ADA Coordinator;
2. Provide notice to the public about ADA requirements;
3. Establish a grievance procedure;
4. Develop internal design standards, specifications, and details;
5. Assign personnel for the development of a Transition Plan;
6. Approve a schedule and budget for the Transition Plan; and
7. Monitor the implementation progress of the Transition Plan.

### A. Step 1 – Designate an ADA Coordinator

Each entity must designate at least one responsible employee to coordinate ADA compliance. The ADA Coordinator will provide an identifiable liaison to the public that can help them with questions or concerns about disability inequity. The ADA Coordinator establishes a single source where information can be conveyed from the public to the government entity. The ADA Coordinator also serves as an individual who can focus on and who can be instrumental in proceeding with and improving upon the compliance plan.

The Town of Cicero has designated Mr. Paul Munoz as the ADA Coordinator in order to provide the previously discussed qualities and attributes.

### B. Step 2 – Providing Notice about the ADA Requirements

The Town of Cicero is required to provide public notice about the rights of the public under the ADA and the responsibility of the Department under the ADA. Providing notice is not a "one time" requirement, but a continuing responsibility. The Town of Cicero has elected to provide notice to the public by use of local media, local advocate groups, and public meetings or other means as appropriate.

The notice will follow all requirements of Title II of the ADA, including mandates to designate an ADA coordinator, give notice about the ADA's requirements, and establish a grievance procedure. A copy of the "Notice Under the Americans with Disabilities Act" can be found in Appendix "B" and will also be accessible by the public from the Town of Cicero's website. *The ADA notice*



*requirement applies to all state and local governments covered by Title II, even localities with fewer than 50 employees.*

### **C. Step 3 - Establish a Grievance Procedure**

The Town of Cicero is required to adopt and publish procedures for resolving grievances arising under Title II of the ADA. The procedures are intended to set out a system for resolving complaints of disability discrimination in a prompt and fair manner. Complaints would typically be directed to the community. It is generally thought that filing a complaint with the community is an appropriate first step, in that it provides an opportunity to resolve a local issue at the local level. However, the exhaustion of a community's grievance procedure is not a prerequisite to filing a complaint with either a federal agency or a court. A copy of the grievance procedure will be accessible by the public from the Town of Cicero's website. The grievance procedure can be found in Appendix "C" as well.

### **D. Step 4 - Develop Internal Design Standards, Specifications, and Details**

The Architectural and Transportation Barrier Compliance Board (alternatively called the Access Board) has developed accessibility guidelines for pedestrian facilities in the public right-of-way. The Federal Highway Administration has recognized these as its currently recommended best practices. A community can adopt these accessibility guidelines into their own system of standards, specifications, and design details with modifications to meet local conditions. Development of design standards and design details within the community allows for consistency in the application of ADA requirements for new facilities.

The Town of Cicero's Construction Standards have been updated and are compliant with both; the current ADA Design Standards and the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way.

### **E. Step 5 - Assign Personnel for the Development of a Transition Plan**

In addition to hiring a consultant to advise, compile, and prepare the Transition Plan, the Town of Cicero assigned Town Personnel specific tasks in order to complete the inventory and administrative responsibilities.

### **F. Step 6 - Approve a Schedule and Budget for the Transition Plan**

The Town of Cicero has approved a 20-year implementation plan which is estimated to have a total cost of \$528,500 and is in 2013 dollars. It is important to note that there are many variables that may impact this estimate such as inflation, project scope, utilities, level of engineering, etc.



As discussed in Section I, this Transition Plan will commence in the year 2016 due to the Town of Cicero's current commitment of over \$700,000 in local funds for the Jackson Street Causeway Pedestrian Project.

**G. Step 7 - Monitor the Implementation Progress of the Transition Plan**

In addition to the 3-year update period, the Town of Cicero will monitor its implementation progress on an annual basis as well.





### III. Standards and Methodology for Evaluations

#### A. Overview

1. Applicable Reference Codes, Standards, and Guidance
  - a) Titles II and III of the Americans with Disabilities Act of 1990
  - b) 2010 ADA Standards for Accessible Design
  - c) Guidance on the 2010 ADA Standards for Accessible Design
  - d) Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way – July 26, 2011

#### B. Field Evaluations

The Town of Cicero divided the field evaluations into two major categories and provided the investigation using Town Personnel. The two categories are as follows:

1. Facilities within Public Right-of-Way
  - a) These facilities include, but are not limited to, sidewalks, pedestrian paths, street crossings, curb ramps, blended transitions, parking, signage, and signalization.
2. Facilities outside of Public Right-of-Way
  - a) These facilities include, but are not limited to; government buildings with public access i.e. Fire Station, Parks Building, Red Bridge Park Building, etc.



## IV. Summary of Self-Evaluation Findings

### A. Curb Ramps

The Town of Cicero inventoried eleven curb ramps. Two of the curb ramps do not meet the typical curb ramp design due to the running slopes being less than 5-percent which is acceptable. The curb ramps are located in the following areas:

Type	Mainline Street	Cross Street	Quadrant	Non-Compliance Item
Curb Ramp	Jackson Street	Short Street		1
Curb Ramp	Jackson Street	Byron Street	NW	1, 2
Curb Ramp	Jackson Street	Byron Street	NE	1
Curb Ramp	Jackson Street	Byron Street	SE	1, 2
Curb Ramp	Jackson Street	Washington Avenue	SE	1, 2
Curb Ramp	Jackson Street	Pearl Street	SE	1
Curb Ramp	Jackson Street	Pearl Street	SW	1, 2
Curb Ramp	Jackson Street	Pearl Street	NW	1
Curb Ramp	Jackson Street	Pearl Street	NE	1
*Curb Ramp	Jackson Street	Byron Street	SW	1, 2
*Curb Ramp	Jackson Street	Washington Avenue	SW	1

#### Non-Compliance Item

1. No detectable warning surface.
2. Ramp does not meet the minimum 4-foot width requirement (excluding flared sides).

*\*Does not meet the typical running slope requirement of 5 to 8.3-percent for curb ramp design. Running slope is less than 5-percent.*

Five curb ramps (45-percent) do not meet the minimum width requirement of 4-feet which will require complete replacement.

No detectable warning surfaces were found at any of the curb ramp locations. The Town of Cicero will install detectable warning surfaces at all locations as required.

### B. Sidewalks and Walkways

The Town of Cicero identified approximately 1.4-miles of existing sidewalks that are not ADA compliant. While performing the inventory, several areas were found where existing sidewalks abruptly terminated mid-block and did not connect to an adjacent pathway. These “non-existent” areas are estimated to be approximately 1,002 linear feet. The Town of Cicero is planning to close these gaps where appropriate with new sidewalks which will ultimately improve connectivity within the Town.

There are several utility junction boxes installed below grade within the sidewalks along the north and south sides of Jackson Street. In some cases, the tops of the junction boxes are not flush to grade which creates vertical irregularities. An allowance has been included within the cost estimate to allow for the junction boxes to be adjusted if necessary.



No detectable warning surfaces were found at any street crossings. The Town of Cicero will install detectable warning surfaces at all street crossings. Based upon the current inventory, it is estimated that there are 152 locations within the Town of Cicero that will require the installation of detectable warning surfaces. This quantity does not include the detectable warning surfaces that will be installed at new or retrofitted curb ramps.

### **C. Accessible Parking, Cross-Walk Markings and Signage, and Miscellaneous Items**

The existing marked parking areas located within the Town of Cicero were inventoried. Approximately 90 parking spaces exist within the Jackson Street Corridor (downtown area). Based upon this inventory, it was determined that four accessible parking spaces will need to be established within this area. The accessible spaces will be located at the following preliminary locations:

- One accessible space will be located on Byron Street at the northeast corner of the intersection of Jackson Street and Byron Street;
- one accessible space will be located on Byron Street at the southeast corner of the intersection of Jackson Street and Byron Street; and
- the remaining two will be located west of Byron Street on Jackson Street.

These spaces will be located at the end of each block immediately adjacent to a curb ramp and identified as required (markings and signage).

Five cross-walks were identified as insufficient. These cross-walks will require paint markings in addition to signage.

There are several utility junction boxes located within the downtown area of Cicero that may require adjustments due to vertical differences between the walking surfaces. An allowance has been accounted for in order to correct any deficiencies.

### **D. Railroad Crossings**

The Nickel Plate Railroad is located within the Town of Cicero. The Nickel Plate Railroad is a non-freight railway. There are two areas within the Town where sidewalks cross the railroad. These locations are as follows:

Southside of Brinton Street located east of Washington Avenue; and  
Jackson Street immediately west of Peru Street (State Road 19)

The flangeway gaps at both locations are within the acceptable limit of 2-1/2 inches. Both locations will require detectable warning surfaces which have been included in quantity as identified in Part B of this Section.



## E. Public Buildings

### 1. Town Hall

The existing Town Hall located at 70 N. Byron Street was built in 1936 and is not cost-prohibitive to bring into compliance. The Town of Cicero is currently planning to construct a new Town Hall/Utilities Office within the next 15 years which will be fully ADA compliant.

Despite the non-compliant condition of the Town Hall, the Town of Cicero has always, and will remain diligent in order to provide assistance to any person who needs help entering and leaving the facility.

### 2. Utilities Office

The existing Utilities Office is located at 150 W. Jackson Street. No improvements are being planned for this building due to the construction of a future Town Hall/Utilities Office as discussed in Item No. 1.

### 3. Fire Station

The existing Fire Station is located at 1359 Stringtown Pike. Based upon the current inventory, the following items were found to be non-compliant and are scheduled to be corrected as part of this transition plan:

- Parking to be reconfigured to provide van accessible space(s);
- Installation of signs;
- Reconfigure parking spaces;
- Repair uneven paving;
- Install curb ramp; and
- Redesign entrance

### 4. Parks Building

The existing Parks Building is located at 1050 S. Pearl Street. Based upon the current inventory, the following items were found to be non-compliant and are scheduled to be corrected as part of this transition plan:

- Parking to be reconfigured to provide van accessible space(s);
- Installation of signs; and
- Redesign entrance



5. Red Bridge Park Building

The Red Bridge Park Building is located in Red Bridge Park just west of the reservoir south of Jackson Street. Based upon the current inventory, the following items were found to be non-compliant and are scheduled to be corrected as part of this transition plan:

- Parking to be reconfigured to provide van accessible space(s);
- Installation of signs; and
- Redesign entrance



## V. Plan and Schedule for Improvements

In order to make all of the inventoried facilities ADA compliant, it is estimated that the Town of Cicero will incur a cost of \$528,500 in today's dollars. It is important to note that there are many variables that may impact this estimate such as inflation, project scope, utilities, level of engineering, etc. The following is an itemized cost estimate which will bring all inventoried facilities into compliance:

<b>Description</b>	<b>Cost</b>
Sidewalks and Walkways	\$454,500
Public Buildings	\$49,000
Curb Ramps, Accessible Parking, Cross-Walk Markings and Signage, and Miscellaneous Appurtenances	\$25,000
<b>Total Estimated Cost:</b>	<b>\$528,500</b>

The previously identified costs include the following items:

- Base Cost;
- Mobilization, Demobilization, Insurance, and Bonds;
- 10% Contingency; and
- 10% Non-Construction Costs

The Town of Cicero will prioritize the projects dependent upon severity, need, and costs and will implement them accordingly. This transition plan is scheduled to be complete in 20-years and will commence in the year 2016.



## VI. Public Access for Public Review and Comment

This Transition Plan must be made available to the public for review and comment. This can be done by having the plan posted on a website, newspaper publication, or having a copy located at one of the Town's facilities, i.e. Town Hall, Utilities Office, etc. It is also advised that the Town of Cicero periodically discuss the Transition Plan at Town Council meetings. The discussions may be brief in nature and can touch upon key issues that may have developed since the previous public meeting as well as an annual report on progress. It is important to note that all meetings, comments, and grievances are to be documented and filed with the Transition Plan. The documents may be reviewed at any time by the Indiana Department of Transportation if one of the following occurs:

- The Town of Cicero is elected to receive Federal Funds; and/or
- The Indiana Department of Transportation receives a complaint which would generate an audit.

The Town of Cicero will need to select a vendor that is capable of providing the Transition Plan in multiple formats such as brail and audio versions. These formats do not have to be readily available, but the Town is required to know the turnaround time from the vendor so that an adequate estimate can be provided to whoever may need an alternate format.



## VII. Reporting and Updating Process

This Transition Plan should be updated every three years. The updates should incorporate all public comments and/or grievances as well as the improvements made as identified in the original implementation plan. *It is important to note that the Indiana Department of Transportation Local Planning Agency Annual Pre-Award Certification & Assurance Form should be updated prior to December 31, 2012 to reflect the addition of this report.*





## VIII. Conclusion

In conclusion, it is estimated that the Town of Cicero will need to spend approximately \$528,500 in today's dollars in order to meet the current ADA Design Guidelines as well as the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way which is still in the rulemaking stage. This cost does not include any renovations to the Town Hall and Utilities Office since the Town of Cicero is planning to construct a new ADA compliant facility which will consolidate the two facilities. The new building is expected to be complete within the next 15-years.

As discussed in Section I, this Transition Plan will commence in the year 2016 due to the Town of Cicero's current commitment of over \$700,000 in local funds for the Jackson Street Causeway Pedestrian Project. The Town of Cicero has elected a 20-year implementation plan. Throughout this 20-year period, the Town of Cicero will make the Transition Plan available to the public for review and comment as discussed in Section V. The Transition Plan must be available in multiple formats if requested. All meetings, comments, and grievances are to be documented and filed with the Transition Plan which may be reviewed at any time by the Indiana Department of Transportation.

The Transition Plan should be updated every three years. The updates should incorporate all public comments and/or grievances as well as the improvements made as identified in the original implementation schedule. *It is important to note that the Indiana Department of Transportation Local Planning Agency Annual Pre-Award Certification & Assurance Form should be updated prior to December 31, 2012 to reflect the addition of this report.*



## Appendix

### A. Glossary of Terms

**ADA Transition Plan:** Plan that identifies accessibility needs, and identifies the process to integrate accessibility improvements, and ensures all transportation facilities, services, programs and activities are accessible to all individuals.

**Accessible:** A facility that provides access to people with disabilities using the design requirements of the 2010 Standards.

**Accessible Pedestrian Signal (APS):** A device that communicates information about the WALK phase in audible and vibrotactile formats.

**Alteration:** A change to a facility in the public right of way that affects or could affect access, circulation or use of the facility. An alteration must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building or site.

**Americans with Disabilities Act (ADA):** The Americans with Disabilities Act of 1990, as amended sets design guidelines for accessibility to public facilities, including sidewalks and trails by individuals with disabilities.

**Americans with Disabilities Act Accessibility Guidelines (ADAAG):** The ADAAG contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the ADA.

**Blended Curb or Transition:** A curb ramp shallower than 1:20 (5%), where the sidewalk is blended into or is flush with the street.

**Building:** Any structure used or intended for supporting or sheltering any use or occupancy.

**Circulation Path:** An exterior or interior way of passage provided for pedestrian travel including, walks, hallways, courtyards, elevators, platform lifts, ramps, stairways and landings.

**Cross-Slope:** The slope that is perpendicular to the direction of accessible pedestrian travel.

**Crosswalk:** The part of a roadway at an intersection that is included within the extensions of the lateral lines of the sidewalks on opposite sides of the roadway, measured from the curb line or, in the absence of curbs, from the edges of the roadway or, in the absence of a sidewalk on one side of the roadway, the part of the roadway included within the extension of the lateral lines of the sidewalk at right angles to the centerline.



**Curb Line:** A line at the face of the curb that marks the transition from the roadway to a sidewalk or planting strip between the sidewalk and the gutter or roadway.

**Curb Ramp:** A short ramp cutting through a curb or built up to it.

**Detectable Warning:** A surface feature built in or applied to walking surfaces or other elements to advise of an upcoming change from a pedestrian to a vehicular way.

**Element:** An architectural or mechanical component of a facility, space, site or public right of way.

**Entrance:** Any access point to a building or facility used for entering. Includes entry door or gate and hardware.

**Facility:** All or any portion of structures, improvements, elements and pedestrian or vehicular routes located on a site or a public right-of-way.

**Flush Transition:** See Blended Transition

**Grade Break:** The meeting line of two adjacent surfaces of different slope (grade).

**Island:** Curbed or painted area outside the vehicular path that is provided to separate and direct traffic movement, which also may serve as a refuge for pedestrians.

**Marked Crosswalk:** Any portion of a roadway at an intersection or elsewhere that is distinctly indicated for pedestrian crossing by lines or other markings on the surface.

**Parallel Curb Ramp:** A system of two sloped ramps that run parallel to the curb line from a common lower landing that is approximately level with the street.

**Pedestrian Access Route:** A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility.

**Perpendicular Curb Ramp:** A curb ramp with a main slope running perpendicular to the curb line and with one or more flared side slopes.

**Projects:** Any construction or maintenance project that disturbs the pavement by at least  $\frac{3}{4}$  of an inch.

**Public Right-of-Way:** Land or property owned by a public entity and usually acquired for or devoted to transportation or pedestrian purposes.

**Public Use:** Interior or exterior, rooms, space or elements that are made available to the public.



**Ramp:** A walking surface that has a running slope steeper than 5%.

**Right of Way:** Denotes land, property or interest therein, usually in a strip, acquired for or devoted to transportation purposes.

**Running Slope:** The slope that is parallel to the direction of travel expressed as a ratio of rise to run in the public right of way. This is usually called grade and is expressed as a percentage.

**Section 504:** Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination in any program or activity receiving federal financial assistance.

**Sidewalk:** That portion of a public right of way between the curb line or lateral line of a roadway and the adjacent property line that is improved for use by pedestrians.

**Street Furniture:** Elements in the public right-of-way intended for use by pedestrians.

**Technically Infeasible:** An alteration that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load bearing member that is an essential part of the structural frame or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features that are in full strict compliance with the minimum requirements of the 2010 ADA Standards.

**Vertical Surface Discontinuities:** Vertical differences in level between two adjacent surfaces.

**Vibrotactile:** A vibrating surface, located on the accessible pedestrian signal button that communicates information through touch.

## **B. Notice Under the Americans with Disabilities Act**

The following is the Town of Cicero's notice that will be accessible from the Town's website:





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

**Employment:** The **Town of Cicero** 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 Cicero** 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 Cicero'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 Cicero** 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 [name of public entity] 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 Cicero**, should contact the office of Mr. Paul Munoz, ADA Coordinator, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the **Town of Cicero** 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 Cicero** is not accessible to persons with disabilities should be directed to Mr. Paul Munoz, ADA Coordinator.

The **Town of Cicero** 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.



**C. Grievance Procedure under the Americans with Disabilities Act**

The following is the Town of Cicero's grievance procedure that will be accessible from the Town's website:



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

Mr. Paul Munoz  
Plan Director/ADA Coordinator  
P.O. Box 650  
150 W. Jackson Street  
Cicero, Indiana 46034

Within 15 calendar days after receipt of the complaint, Mr. Paul Munoz or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Mr. Paul Munoz 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 Cicero** and offer options for substantive resolution of the complaint.

If the response by Mr. Paul Munoz or his 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 **Cicero Town Council**.

Within 20 calendar days after receipt of the appeal, the **Cicero Town Council** will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **Cicero Town Council** 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 Mr. Paul Munoz or his designee, appeals to the **Cicero Town Council**, and responses from these two offices will be retained by the **Town of Cicero** for at least three years.

