

RESOLUTION 2013-1

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF UPLAND, INDIANA
ADOPTING THE AMERICANS WITH DISABILITIES ACT (ADA) ACCESSIBILITY
GUIDELINES FOR STANDARDS FOR ACCESSIBLE DESIGN AND GUIDELINES
FOR PEDESTRIAN FACILITIES IN THE PUBLIC RIGHT-OF-WAY

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, Title II of the ADA requires that municipalities adopt the Americans with Disabilities Standards for Accessible Design that provide accessibility, through proposed structural modifications to remove accessibility barriers; and

WHEREAS, Title II of the ADA recommends that municipalities adopt the Americans with Disabilities Guidelines for Pedestrian Facilities in the Public Right-of-Way that provide accessibility, through proposed structural modifications to remove accessibility barriers; and

WHEREAS, the United States Department of Justice recently modified the ADA Standards of Accessible Design and the Guidelines for Pedestrian Facilities in the Public Right-of-Way in 2010 and 2011, respectively; and

WHEREAS, the Town of Upland remains committed to the ADA and the elimination of barriers to public facilities; and

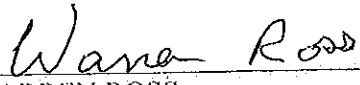
NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Upland hereby adopts the 2010 Americans with Disabilities (ADA) Standards for Accessible Design and 2011 Guidelines for Pedestrian Facilities in the Public Right-of-Way.

PASSED, APPROVED AND ADOPTED, this 5 day of June, 2013.

Town Council of Upland, Indiana


CHARLES R. JAGGERS, PRESIDENT



GEOFF SCHWARTZ


WARREN ROSS


MICHAEL CARMIN

JOHN M. BONHAM

Attest:


JANE E. ROCKWELL
CLERK-TREASURER

RESOLUTION 2013-2
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF UPLAND, 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 Upland shall name an ADA Coordinator; and

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

WHEREAS, in compliance with Title II of the ADA the Town of Upland 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 Upland, Indiana:

The Town Manager is designated as the ADA Coordinator for the Town of Upland.

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

The Town of Upland 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 provisions of services, activities, programs or benefits by the Town of Upland.

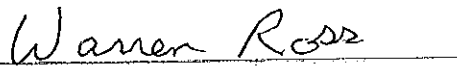
In compliance with Federal and State laws as set forth above, the Town Council resolves to post the required information regarding the DA coordinator, Notice under the Americans with Disabilities Act, and Town of Upland Grievance Procedure under the Americans with Disabilities Act on its website and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

PASSED, APPROVED AND ADOPTED, this 5 day of June, 2013.

Town Council of Upland, Indiana


CHARLES R. JAGGERS, PRESIDENT

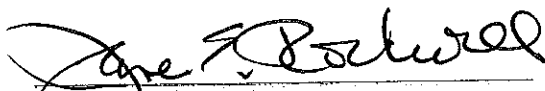

GEOFF SCHWARTZ


WARREN ROSS


MICHAEL CARMIN

JOHN M. BONHAM

Attest:


JANE E. ROCKWELL
CLERK-TREASURER

RESOLUTION 2013- 3
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF UPLAND, INDIANA
ADOPTING THE AMERICANS WITH DISABILITIES ACT (ADA)
TRANSITION PLAN FOR PEDESTRIAN FACILITIES
IN THE PUBLIC RIGHT OF WAY

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, Title II of the ADA requires that municipalities develop and adopt Resolution 2013- 1 pertaining to ADA Standards for Accessible Design and Guidelines for Pedestrian Facilities in the Public Right-of-Way; and

WHEREAS, the United States Department of Justice recently modified the ADA Standards of Accessible Design and the Guidelines for Pedestrian Facilities in the Public Right-of-Way in 2010 and 2011, respectively; and

WHEREAS, the Town of Upland remains committed to the ADA and the elimination of barriers to public facilities; and

WHEREAS, a Transition Plan for the pedestrian network has been prepared that reflects the current municipality infrastructure and ADA design standards, referred to as the "ADA Transition Plan: Pedestrian Network";

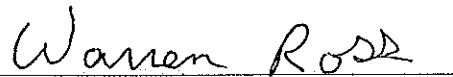
NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Upland hereby approves the ADA Transition Plan: Pedestrian Network.

PASSED, APPROVED AND ADOPTED, this 5 day of June, 2013.

Town Council of Upland, Indiana


CHARLES R. JAGGERS, PRESIDENT


GEOFF SCHWARTZ


WARREN ROSS


MICHAEL CARMIN

JOHN M. BONHAM

Attest:


JANE E. ROCKWELL
CLERK-TREASURER

THE TOWN OF UPLAND, INDIANA GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirement 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 Upland, Indiana. The Town'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 complaint 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 sixty (60) calendar days after the alleged violation to:

**BRUCE LONG, JR.
TOWN MANAGER
87 NORTH MAIN STREET
UPLAND, IN 46989
(765) 998-7439**

Within fifteen (15) days after receipt of the complaint, Bruce Long, Jr., or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within fifteen (15) calendar days of the meeting, Bruce Long, Jr., 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 Upland, Indiana and offer options for substantive resolution of the complaint.

If the response by Bruce Long, Jr. or his designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decisions within fifteen (15) calendar days after receipt of the response to the Town Council of Upland, Indiana, or their designee.

Within fifteen (15) calendar days after receipt of the appeal, the Town Council of Upland, Indiana or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, the Town Council of Upland, Indiana 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 Bruce Long, Jr. or his designee, appeals to the Town Council of Upland, Indiana or their designee, and responses from these two offices will be retained by the Town of Upland, Indiana for at least three (3) years.

Appendix A: Complaint / Grievance Form

Grievant Information:

Grievant Name:			
Address:	City:	State:	ZIP Code:
	EAST CHICAGO	IN	46312
Phone: () -	E-mail:		
Alternative Phone: () -			

Person Preparing Complaint Relationship to Grievant (if different from Grievant):

Name:			
Address:	City:	State:	ZIP Code:
Phone: () -	E-mail:		
Alternative Phone: () -			

Please specify any location(s) related to the complaint or grievance (if applicable):

Please provide a complete description of the specific complaint or grievance:

Please state what you think should be done to resolve the complaint or grievance:

Please attach additional pages as needed.

Signature: _____

Date: _____

Please return to: ADA Coordinator, 4444 Railroad Ave., East Chicago, IN 46312 or via fax (219) 391-8401.

Upon request, reasonable accommodation will be provided in completing this Form or copies of the form will be provided in alternative formats. Contact the ADA Coordinator at the address listed above or via telephone (219) 391-8355.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

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

Employment: The Town of Upland, Indiana 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 Upland, Indiana 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 Upland'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 Upland, Indiana 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 the Town of Upland offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies and procedures to participate in a program, service, or activity of the Town of Upland, Indiana, should contact the office of the Town Manager, 87 North Main Street, Upland, Indiana 46989, (765) 998-7439 as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Town of Upland, Indiana 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 Upland, Indiana is not accessible to persons with disabilities should be directed to the Town Manager, 87 North Main Street, Upland, Indiana 46989, (765) 998-7439.

The Town of Upland, Indiana 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 person who use wheelchairs.