



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

Employment: **City of Charlottesville** 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 Charlottesville** 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 Charlottesville'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: **City of Charlottesville** 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 Charlottesville** 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 Charlottesville**, should contact the office of **Paul Rudacille** at **434-970-3182** as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the **City of Charlottesville** 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 Charlottesville** is not accessible to persons with disabilities should be directed to **Paul Rudacille at 434-970-3182** or

**ADA Coordinator
City of Charlottesville
605 E Main St
Charlottesville, VA 22902**

City of Charlottesville 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.

Policy:

This policy reflects the City's commitment to provide prompt and equitable resolution of complaints arising from alleged violations of actions prohibited by applicable provisions of Section 504 of the 1973 Rehabilitation Act, the Americans with Disabilities Act (ADA) of 1990, the ADA Amendments Act of 2008, and The Virginians with Disabilities Act of 1985.

Background:

The ADA prohibits discrimination on the basis of disability in employment, state and local government services, public accommodations, commercial facilities, transportation, and telecommunications. The City of Charlottesville is committed to complying with the ADA and all federal and state disability, civil rights and fair housing laws. If a member of the public files a grievance alleging violation of the ADA, Charlottesville City will not retaliate against that individual because he/she has participated in any investigation or proceeding under the Acts or because he/she has opposed the City's practices as discriminatory. Grievances may be filed by anyone, including guardians on behalf of someone with a disability, or a patron who accesses and uses City facilities.

Definitions:

"Qualified individuals with disabilities" means persons covered by the ADA(42 U.S.C. § 12101 et seq.) and other related state and federal laws, and includes individuals who have a physical or mental impairment that substantially limits one or more of the major life activities; have a record of such an impairment; or are regarded as having such an impairment.

"Accommodation(s)" may include, but are not limited to, making reasonable modifications in policies, practices, and procedures; furnishing, at no charge to the qualified individuals with disabilities, auxiliary aids and services, which include but are not limited to, equipment, devices, materials in alternative formats, and qualified interpreters or readers; and making each service, program, or activity, when viewed in its entirety, readily accessible to and usable by qualified individuals with disabilities requesting accommodations.

Further definitions of disability and regulations for the ADA are found in 42 U.S.C. § 12131 and 28 C.F.R. Part 35, the Rehabilitation Act of 1973, 29 U.S.C § 794 and 28 C.F.R. Part 42, Subpart G, as well as the ADA Amendments Act of 2008.

Procedure:

A qualified individual with a disability, or his/her representative, who has a complaint of an alleged violation on the basis of his/her disability, shall submit a complaint in writing (see form attached to this policy) to the ADA Coordinator no later than 60 calendar days from the date of the alleged violation. The complaint must include the name, address, and phone number of the complainant; the location, date, and brief description of the incident; and the remedy sought.

Upon request, alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities who require such alternatives.

An investigation shall be conducted by the ADA Coordinator when the complaint provides reasonable information to indicate discrimination may have occurred. Within fifteen business days of receipt of the written grievance, the ADA Coordinator will contact the complainant to schedule a meeting to discuss the complaint and possible resolutions. The ADA Coordinator shall provide the complainant with a written response within ten business days after the conclusion

of the meeting, and, where appropriate, in a format accessible to the complainant, such as large print, Braille, or audiotape. The response will explain the position of the City and offer options for substantive resolution of the complaint. If the ADA Coordinator cannot provide the written response within ten business days, then the ADA Coordinator will notify the complainant within ten business days with an estimated timeframe of when a written response may be expected.

If the complaint is not resolved to the satisfaction of the complainant, the complainant may appeal the matter to the City Manager or their designee. The City Manager or their designee shall conduct a face-to-face meeting with the complainant within fifteen business days from receipt of the appeal. Following the face-to-face meeting, the City Manager or their designee shall then provide the complainant a written response within fifteen business days. A copy of the written response will be forwarded to the ADA Coordinator. The City Manager's decision will be the final step in the internal administrative procedures.

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 the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

The City will maintain a file of all written grievances and corresponding communication for three years.

Responsible Department/Division:

ADA Coordinator,
City Manager

This policy remains in effect until revised or rescinded.