

**CITY OF DECATUR, INDIANA**

**ADA TRANSITION PLAN**

**Adopted: December 20, 2011**

**Revised: January 2016**

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## Mission Statement

The City of Decatur, Indiana recognizes its legal obligation to comply with the federally enacted Americans with Disabilities Act of 1990, as amended, (“ADA”) and herein establishes a transition plan to ensure compliance with Title II of this federal law, and rules and regulations promulgated as a result thereof, to avoid discrimination against its citizens who have disabilities by identifying barriers to access both physical and non-physical, by identifying how and when barriers are to be removed, by providing a means to address complaints of discrimination, by encouraging public input to assess, address and meet access needs, and by establishing periodic reviews of the plan to monitor progress and compliance.

## ADA Coordinator

Pursuant to Resolution 2011-6 adopted on the 20<sup>th</sup> day of September, 2011, by the Decatur Board of Public Works and Safety, the position of ADA Coordinator for the City of Decatur, Indiana was created. The following individual was appointed to serve in such capacity:

Jeremy Gilbert

Mr. Gilbert holds such position concurrently with his appointment as Street and Sanitation commissioner and is responsible for overseeing compliance with the ADA.

Mr. Gilbert may be contacted in person or by mail at:

809 West Elm Street  
Decatur, Indiana 46733

Or

c/o Decatur City Hall  
172 N. 2<sup>nd</sup> Street  
Decatur, Indiana 46733

Mr. Gilbert may be contacted by email at:

[jgilbert@decaturin.org](mailto:jgilbert@decaturin.org)

Mr. Gilbert may also be reached by telephone at:

260-724-3356

## Complaint/Grievance Process

Pursuant to Resolution 2011-6 adopted on the 20<sup>th</sup> day of September, 2011, by the Decatur Board of Public Works and Safety, the following procedure was established to investigate complaints and address grievances filed with the City of Decatur, Indiana:

The ADA Coordinator shall be responsible for coordinating the efforts of the City of Decatur, Indiana to comply with Title II of the ADA and shall be responsible for investigating any complaints that the City has violated Title II. In the event such grievance is lodged, the complaining party shall be obligated to give the City of Decatur, Indiana written notice of alleged discrimination by delivering such written complaint in person, or first class US mail, to Decatur City Hall, Attention Jeremy Gilbert, ADA Coordinator, 172 N. 2<sup>nd</sup> St., Decatur, Indiana 46733. Alternative means of filing, such as personal interviews or a tape recording of the complaint, will be made available, upon request, to people with disabilities who require such an alternative.

The complaint should contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of problem. A complaint should be filed by the grievant and/or his/her designee as soon as possible but no later than sixty (60) calendar days after the alleged violation.

Thereupon, the ADA Coordinator shall be obligated to investigate such alleged discrimination and, within fifteen (15) calendar days, meet with the complainant to discuss the complaint and the possible resolutions.

Within fifteen (15) calendar days thereafter, the ADA Coordinator shall respond in writing to the complainant, or in such other format accessible to complainant, explaining the position of the City of Decatur and offering options for substantive resolution of the complaint.

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within fifteen (15) calendar days after receipt of the ADA Coordinator's response to the Decatur Board of Public Works and Safety, Decatur City Hall, 172 N. 2nd St., Decatur, Indiana 46733. Within fifteen (15) calendar days after receipt of the appeal, the Decatur Board of Public Works and Safety or its designee will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, the Decatur Board of Public Works and Safety shall respond in writing, and where appropriate, in format accessible to the complainant, with a final resolution of the complaint.

All Written complaints received by the ADA Coordinator, appeals to the Board of Public Works and Safety, and their responses, shall be retained by the City of Decatur, Indiana for three (3) years.

## Design Standards-Buildings/Sidewalks

### Buildings.

Newly constructed municipal buildings or municipal buildings which are renovated shall meet the standards of handicap accessibility in accordance with the Indiana Building Code. This may include the use of street level entrances or graded sidewalks in lieu of steps to reach an entrance; shall require sufficiently wide doorways, hallways and bathrooms to accommodate individuals in wheel chairs; shall require automatic doors or electronic means of requesting assistance, if needed; shall require an elevator which allows the transportation of a person in wheel chair from one floor level to another in a multi-story building; and shall require the use of tactile messages to assist those who are sight impaired. Reasonable accommodations shall also be made, as needed, to assist the hearing impaired or to assist citizens with other disabilities to ensure access to municipal offices and services.

The City Building Code requires private developers and contractors to comply with Indiana Building Code handicap accessibility standards, unless newly constructed or renovated structures are exempt under the Indiana Building Code.

### Sidewalks.

Sidewalk curbs constructed as part of planned development, sidewalk curbs replaced by or for the City, or sidewalk curbs replaced by or for a property owner through a City match program shall at street intersections be constructed in accordance with INDOT regulations and standards to ensure color warning of a approach to a street, tactile warning of an approach to the street and contouring of the curb to a flush level with the street pavement.

## Public Involvement Opportunities

The general public is encouraged to participate in identify need or barriers to accessibility. This may be done by contacting the ADA Coordinator, by contacting the Mayor at (260)724-7171, Clerk Treasurer (260)724-4307, or the Building and Planning Departments at (260)724-3814. Notice of a need or barrier may be communicated in person or by mail at Decatur City Hall, 172 N. 2<sup>nd</sup> St., Decatur, Indiana 46733. In addition, the general public is invited to attend any Decatur Board of Public Works and Safety meeting or any Decatur Common Council Meeting to request a need to be addressed or to seek relief from a barrier to access. Regular meetings are held on the first and third Tuesdays of each month, with the Board of Public Works and Safety meeting at 6:00 pm and the Decatur Common Council meeting at 7:30 pm.

Notice of this Plan and the Notice Under The Americans With Disabilities Act created by the US Department of Justice shall be published on the City's website. Such notices shall also be provided to local news media. Copies shall be delivered to the Decatur Public Library, Parks & Recreation at Riverside Center, the Adams County Service Complex, the Decatur Post Office, the Decatur Chamber of Commerce, the local Welfare Department office, the local Work Force Development Office, the Decatur Housing Authority, local financial institutions, realtors, churches and schools with request that such Notices be posted and/or delivered to individuals who make use of services offered at such locations.

## Identification of Barriers to Access

Barriers to access may be physical and include:

Access to Buildings

Access to Offices or Personnel within Buildings

Access to Streets and Sidewalks

Barriers to access may be non-physical and include:

Access to Services

Access to Employment Opportunities

Access to Housing

## Plan to Remove Barriers

In an effort to remove barriers to buildings, or barriers within buildings, the City shall rely upon its Building Code and the Indiana Building Code to remove barriers in the construction or renovation of buildings. In addition, the City encourages property owners who are not required to comply with ADA standards to voluntarily do so or make reasonable accommodations for individuals with handicaps.

Regarding barriers to streets and sidewalks, the City has inventoried all curbs at local streets and highways within its municipal limits. Utilizing a color coding system, as shown on the map attached hereto, the City has identified curbs which comply with ADA Standards, shown in green; curbs which partially comply, but need some repair or modification, shown in yellow; and curbs which do not comply and are in need of reconstruction, shown in red. Currently, the City has 279 curbs which comply, 69 which require some repair or modification and 180 curbs which are in need of reconstruction. Of the 69 curbs which partially comply, and the 180 curbs which are in need of reconstruction, the City has prioritized addressing curbs on streets which the City has identified as major thoroughfares.

In addition, priority shall be given to establishments, or locations which provide public or government services. Requests of citizens to remove barriers on minor streets shall also be taken into account in prioritizing which curbs are repaired and modified or reconstructed. The City intends to utilize Local Road and Street funds or MVH funds to extend available, to finance the repair, modification or replacement of 16 curbs annually. In the event a property owner participates in the City's match funding program which includes a curb, if the curb is identified as yellow or red on the inventory map, such curb shall be repaired, modified or replaced to meet ADA standards as part of the construction project.

Concerning non-physical barriers, the City shall make reasonable efforts to educate the public regarding rights under the ADA and shall encourage various local institutions and agencies to implement rules and regulations designed to prevent discrimination when performing services, when offering job opportunities or when offering housing.

## Review and Evaluation

In January of each year, commencing in 2012, the Board of Public Works and Safety shall meet with the ADA Coordinator to review the City's efforts to comply with the ADA and to implement the foregoing Plan. Progress shall be noted and the Plan shall be evaluated for the purpose of determining its effectiveness. Modifications to the Plan may be recommended by the Board to the City Common Council, if deemed necessary or appropriate. The Board and ADA Coordinator shall also review prioritization of repairs, modifications or replacements of curbs for the upcoming year and shall review with Council sources and availability of funding to determine the number of curbs which can be brought into compliance with ADA standards.