

RESOLUTION NO. 2012- 12
**A RESOLUTION ADOPTING THE NOTICE PROVISIONS OF THE AMERICANS WITH
 DISABILITIES ACT IN THE CITY OF WINCHESTER**

WHEREAS, the City of Winchester receives Federal funds for many uses and projects;
 and

WHEREAS, the receipt of such funds requires compliance with Federal laws and
 policies; and

WHEREAS, it is the wish of the U.S. Equal Employment Opportunity Commission that
 Municipal entities such as Winchester formally enact and adopt policies and procedures
 demonstrating compliance with the Americans With Disabilities Act (ADA); and

WHEREAS, The City of Winchester, by its Common Council wishes to formally adopt
 and implement the following policy and procedure for the benefit of all Winchester Citizens; and

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of
 Winchester that the following declaration become a written policy of the City of Winchester and
 be posted in all Municipal Buildings upon passage.

**NOTICE UNDER THE AMERICANS
 WITH DISABILITIES ACT (ADA)**

The City of Winchester adopts the 2010 American with Disabilities Act Standards for
 Accessible Design and the 2005 Guidelines for Accessible Public Rights-of-Way. In accordance
 with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of
 Winchester, Indiana will not discriminate against qualified individuals with disabilities on the
 basis of disability in its services, programs, or activities.

Employment: The City of Winchester, 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 City of Winchester, 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 City of Winchester'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 City of Winchester 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 Winchester 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 City

of Winchester should contact the Mayor of Winchester at (765) 584-6845, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City of Winchester 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 City of Winchester is not accessible to persons with disabilities should be directed to the Mayor of Winchester at (765) 584-6845.

The City of Winchester 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.

**CITY OF WINCHESTER
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 City of Winchester. The City'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 180 calendar days after the alleged violation to:

ADA Coordinator
113 East Washington
P.O. Box 408
Winchester, IN 47394

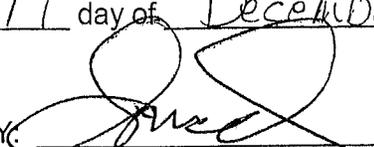
Within 15 calendar days after receipt of the complaint, ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Winchester and offer options for substantive resolution of the complaint.

If the response by ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the ADA Coordinator or his/her designee.

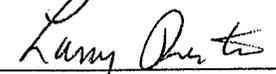
Within 15 calendar days after receipt of the appeal, the ADA Coordinator or his/her designee will meet again with the complainant to discuss the appeal and possible resolutions. Within 15 calendar days after the meeting, the ADA Coordinator or his/her designee will respond in writing, and, where appropriate, in a format described above that accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or his/her designee, appeals to the ADA Coordinator or his/her designee, and responses from ADA office will be retained by the City of Winchester for at least three years.

PASSED AND ADOPTED by the Common Council of the City of Winchester, Indiana, this 17 day of December 2012.

BY: 
Todd Schroeder

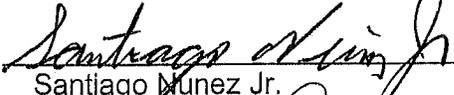
TITLE: Council President, Council Member At Large

BY: 
Larry Preston

TITLE: Council Member, 1st District

BY: 
Tom Sells

TITLE: Council Member, 2nd District

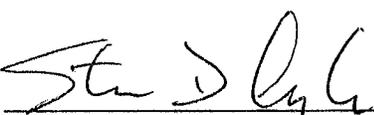
BY: 
Santiago Munez Jr.

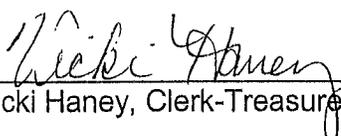
TITLE: Council Member, 3rd District

BY: 
Cynthia Acree

TITLE: Council Member, 4th District

APPROVED by me this 17 day of December, 2012.


Steven D. Croyle, Mayor

ATTEST: 
Vicki Haney, Clerk-Treasurer