

Chapter 249

PUBLIC BUILDINGS AND SERVICES, ACCESS TO

[HISTORY: Adopted by the Village Board of the Village of Hustisford 3-28-1994 as Title 15, Ch. 6 of the 1994 Code. Amendments noted where applicable.]

§ 249-1. General provisions.

- A. The Village of Hustisford, in complying with the Americans with Disabilities Act (ADA), 42 U.S.C. § 12101, has developed a plan by which access to all Village programs, facilities, services and employment is guaranteed to all citizens. A transition plan has been adopted by the Village Board and is available from the Village Clerk-Treasurer. An ADA Coordinator has been appointed and an ADA Compliance Committee established. Concerns and/or complaints can be addressed to the ADA Coordinator, care of the Village Clerk-Treasurer.
- B. The Village Clerk-Treasurer/Building Inspector shall serve as the Americans with Disabilities Act Coordinator with respect to 42 U.S.C. § 12101, Title I, regarding employment, to conduct a self-evaluation in connection therewith, and to accept all grievances filed with respect thereto and make decisions thereon in consultation with the Village Attorney within 30 days of the filing of such grievance. Such decisions may be appealed to the ADA Compliance Committee in accordance with the procedure established in this chapter.
- C. The ADA Coordinator and ADA Compliance Committee shall be annually appointed by the Village President, subject to confirmation by the Village Board, at the Board's organizational meeting. The ADA Compliance Committee shall, if possible, have a representative from the following fields:
 - (1) Business and/or nonprofit organization.
 - (2) Education.
 - (3) Disabled representative.
 - (4) Elected official.
 - (5) Health/medical.
- D. The Village ADA Compliance Committee consists of the Village Clerk-Treasurer, Public Works Superintendent, Librarian, Police Chief, Village Board and citizens. The ADA Compliance Committee will be responsible for announcing the ADA Act, determining actions to be taken to implement ADA, reviewing complaints and coordinating Committee review of complaints, and completing the self-evaluation of services, programs, policies and procedures required by ADA.
- E. Village letterhead and other applicable printed notices should contain the words

"An equal opportunity/affirmative action employer."

- F. An ADA Compliance Committee meeting shall be treated as any other Village committee meeting, and notice shall be posted a minimum of 24 hours prior to the meeting.

§ 249-2. Complaint procedure.

- A. All complaints regarding access or alleged discrimination shall be submitted in writing to the designated official (Village Clerk-Treasurer/Building Inspector) for resolution. A record of the complaint and action taken will be maintained. A decision by the designated official will be rendered within 15 working days.
- B. If the complaint cannot be resolved to the satisfaction of the complainant by the designated local government official, it will be forwarded to an ADA Compliance Committee composed of representatives from elected officials, the disabled community, business or nonprofit sectors, education and the health/medical profession.
- C. The Committee shall establish ground rules or procedures for hearing complaints, requests or suggestions from disabled persons regarding access to and participation in public facilities, activities and functions in the community. Further, the Committee shall hear such complaints in public, after adequate public notice is given, in an unbiased, objective manner. The Committee shall issue a written decision within 30 days of notification. All proceedings of the Committee shall be recorded, transcribed and maintained.
- D. If the complaint cannot be resolved to the complainant's satisfaction by the Committee, the complaint will be heard by the Village Board. An open, public meeting of the Board will precede the vote. A determination must be made within 30 days of the hearing. The decision of the Village Board is final.
- E. A record of action taken on each request or complaint must be maintained as a part of the records or minutes at each level of the grievance process.
- F. The individual's right to prompt and equitable resolution of the complaint must not be impaired by his/her pursuit of other remedies, such as the filing of a complaint with the United States Department of Justice or any other appropriate federal agency. Furthermore, the filing of a lawsuit in state or federal district court can occur at any time. The use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

§ 249-3. Due process.

This chapter shall be construed to protect the substantive rights of interested persons and to meet appropriate due process standards.