



# Americans with Disabilities Act Transition Plan

May 2018

Sandra Kolb, ADA Coordinator  
6070 Central Avenue  
Portage, IN 46368

## **CHAPTER ONE: SUMMARY OF REQUIREMENTS AND PROCEDURES UNDER THE AMERICANS WITH DISABILITIES ACT**

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### **1.1 OVERVIEW OF THE ADA**

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, access to public accommodations, transportation, and telecommunications. The ADA is a companion civil rights legislation to the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. This legislation mandates that qualified disabled individuals shall not be excluded from participation in, denied the benefit of, or be subjected to discrimination under any program or activity. The Act also provides disabled employees with certain protections and requires employers to make reasonable accommodation for disabled applicants and employees.

The ADA is divided into five parts, covering the following areas:

#### *Title I: EMPLOYMENT*

Under this title, The City of Portage (City) must ensure that the hiring practices, policies and procedures do not discriminate against persons with disabilities in the application, hiring, advancement, training, compensation, or discharge of an employee, or in other terms, conditions, and rights of employment.

#### *Title II: PUBLIC SERVICES*

This title prohibits state and local governments from discriminating against persons with disabilities or from excluding participation in or denying benefits of programs, services, or activities to persons with disabilities. It is under this Title that this self-evaluation is prepared. The self-evaluation is intended to outline programs and services of the town and to evaluate what policies and procedures must be changed or implemented to effect the non-discrimination policies described in Title II.

Title II of the ADA applies to State and local governments, including towns and townships, school districts, water districts, special purpose districts, and other small local governments and instrumentalities. It prohibits discrimination on the basis of disability in all services, programs, and activities provided by cities. Thus, people with disabilities must have an equal opportunity to participate in and benefit from a city's services, programs, and activities. To accomplish this, the ADA sets requirements for city facilities, new construction and alterations, communications with the public, and policies and procedures governing city programs, services, and activities.

Title II dictates that a public entity must evaluate its services, programs, policies, and practices to determine whether they are in compliance with the nondiscrimination regulations of the ADA. The regulations detailing compliance requirements were issued in July, 1991. These regulations mandate that each public entity is required to examine activities and services, identify problems or physical barriers that may limit accessibility by the disabled, and describe potential compliance solutions. The entity must then proceed to make the necessary changes resulting from the self-evaluation. The ADA further requires that a transition plan be prepared to describe any structural or physical changes required to make programs accessible. The City of Portage's ADA Transition Plan is a companion to the self-evaluation, and is included in the Portage ADA Compliance Plan.

#### *Title III: PUBLIC ACCOMMODATIONS*

Title III requires places of public accommodation to be accessible to and usable by persons with disabilities. The term "public accommodation" as used in the definition is often misinterpreted as applying to public agencies, but the intent of the term is to refer to any privately funded and operated facility serving the public.

#### *Title IV: TELECOMMUNICATIONS*

This title covers regulations regarding private telephone companies and requires common carriers offering telephone services to the public to increase the availability of interstate and intrastate telecommunications relay services to individuals with hearing and speech impairments.

#### *Title V: MISCELLANEOUS PROVISIONS*

This title contains several miscellaneous regulations, including construction standards and practices, provisions for attorney's fees, and technical assistance provisions.

In the ADA, the term "disability" means, with respect to an individual:

- 1) A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- 2) A record of such an impairment; or
- 3) Being regarded as having such impairment.

If an individual meets any one of these three tests, he or she is considered to be an individual with a disability for purposes of coverage under the Americans with Disabilities Act. The Final Rules of the ADA describe in greater detail the conditions included and excluded as disabilities under the ADA, and these rules should be referred to if more detailed descriptions of covered disabilities is desired.

## **1.2 REQUIREMENTS OF MUNICIPALITIES UNDER THE ADA**

Title II of the ADA applies to State and local governments, including cities, towns and townships, school districts, water districts, special purpose districts, and other small local governments and instrumentalities. It prohibits discrimination on the basis of disability in all services, programs, and activities provided by the town. Thus, people with disabilities must have an equal opportunity to participate in and benefit from a town's services, programs, and activities. To accomplish this, the ADA sets requirements for town facilities, new construction and alterations, communications with the public, and policies and procedures governing city programs, services, and activities.

## **1.3 EXISTING FACILITIES: PROGRAM ACCESSIBILITY**

When programs, services, or activities are located in facilities that existed prior to January 26, 1992, the effective date of title II of the ADA, the City must ensure that they are also available to persons with disabilities, unless to do so would fundamentally alter a program, service, or activity or result in undue financial or administrative burdens. This requirement is called program accessibility. When a service, program, or activity is located in a building that is not accessible, the City can achieve program accessibility in several ways. It can:

- Relocate the program or activity to an accessible facility
- Provide the activity, service, or benefit in another manner that meets ADA requirements, or
- Make modifications to the building or facility itself to provide accessibility.

Thus, to achieve program accessibility, Portage need not make every existing facility accessible. It can relocate some programs to accessible facilities and modify other facilities, avoiding expensive physical modifications of all city facilities.

## **1.4 NEW CONSTRUCTION AND ALTERATIONS**

### *NEW CONSTRUCTION*

ADA requirements for new construction have been in effect since January 1992. New buildings and facilities must comply with the new construction provisions of the ADA Standards for Accessible Design 2010 (ADAAG) as well as the Public Rights of Way Accessibility Guidelines (PROWAG) for public improvements within public rights of way including sidewalks and crossings. These requirements include facilities that are available for public use and those that are for use by employees.

The ADA Standards for Accessible Design (ADAAG) was revised in 2010 and has been selected as the ADA design standard by the city. Because ADAAG and PROWAG requirements for new construction and alterations do change from time to time, Portage must continue to be familiar with any new design and construction requirements before a project starts.

### *ADDITIONS AND ALTERATIONS*

When a building or facility is renovated, altered, or added to for any purpose, the alterations or additions must comply with the ADA Standards. In general, the alteration provisions are the same as the new construction requirements except that deviations are permitted when it is not technically feasible to comply. Additions are considered an alteration but the addition must follow the new construction requirements. When existing structural and other conditions make it impossible to meet all the alteration requirements of the ADA Standards, then they should be followed to the greatest extent possible.

#### Basic Requirements for Alterations:

- Any alteration that affects the usability of a building or facility must comply with the requirements of the ADA Standards unless technically infeasible to do so. Alterations can be as limited as the replacement of a fixture or element, such as a lavatory, toilet, or piece of door hardware.
- When an element is replaced, the new element must comply with the ADA Standards if the minimum requirements for accessibility under the ADA have not already been met.
- When an alteration to an area of a facility that contains a primary function area, the City has an additional obligation. The City is also responsible for making the path of travel to the altered area, as well as the toilet rooms, drinking fountains, and public telephones serving the altered area accessible. Primary function areas are those areas of a building that include the primary spaces for which the building was constructed. The amount of money the City must spend to provide an accessible path of travel is limited to 20% of the overall cost of the alterations. If the path of travel alterations can be done for less than the 20% limit, then only that expenditure is required. If all the required accessible features are already provided then no additional expenditure is needed.
- When a qualified historic facility is altered, an exception to the alteration requirements of the ADA Standards may be used if the alteration threatens to destroy the historic significance of the building or facility. In these situations, special provisions in the Standards may be used for the element or space that would be threatened. In almost all situations, accessible design can be used without significantly impairing the historic features of the facility.

- The ADA Standards have specific requirements for additions. Additions, which include an expansion, extension or increase of the gross floor area of a building or facility, are considered an alteration to a facility but the area that is added must comply with the new construction requirements. Each addition that affects or could affect the usability of an area containing a primary function area must meet the path of travel requirements (see above).

#### *MAINTENANCE OF ACCESSIBLE FEATURES*

The City must maintain in operable working condition those features that are necessary to provide access to services, programs, and activities -- including elevators and lifts, curb ramps at intersections, accessible parking spaces, ramps to building or facility entrances, door hardware, and accessible toilet facilities. Isolated or temporary interruptions in service or access are permitted for maintenance or repairs.

The City of Portage owns and operates/leases a number of municipal and utility buildings, public streets, parking lots, community centers, trails, sports fields, and lease properties. Some of these properties are not open for public use or do not house public services or programs.

The City has conducted an assessment of various facilities, sidewalks, curbs, and parks for the purpose of this ADA Transition Plan. Today, the majority of City facilities are ADA compliant and continues to ensure new construction conforms to current ADA standards.

As we continue to implement the Plan, the City will continue to assess and inventory structures. A copy of the ADA Self-Evaluation form is attached as Addendum A.

#### *EFFECTIVE COMMUNICATION*

The City must take appropriate steps to ensure that communications with members of the public, job applicants, and participants with disabilities are as effective as communications with others unless it is an undue financial or administrative burden to do so or it would result in a fundamental alteration in the nature of the program or activity.

Achieving effective communication often requires cities to provide auxiliary aids and services. Examples of auxiliary aids and services include qualified sign language interpreters, assistive listening devices, open and closed captioning, note-takers, written materials, telephone handset devices, qualified readers, taped texts, audio recordings, Braille materials, materials on computer disk, and large print materials.

The City must provide appropriate auxiliary aids and services where they are necessary to achieve an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by or for the city. The City must give primary consideration to the type of auxiliary aid requested by a person with a disability. However, the City may provide a different type of aid if it can show that it is an effective means of communication. The City must be provided adequate notice that auxiliary aids have been requested prior to the anticipated use of said aids.

Determination of an undue financial burden or a fundamental alteration can only be made by the compliance coordinator, defined below, or his or her designee and must be accompanied by a written statement of the reasons for reaching that conclusion. The determination of an undue burden must be based on all resources available for use in the program, service, or activity. In other words, the evaluation of an undue financial burden must consider all municipal financial resources, in addition to the particular department or division's budget. When it is not possible to provide a particular type of auxiliary aid to achieve effective communication due to an undue burden or fundamental alteration, the City must take any other action that would not result in such burdens or fundamental alteration, but would nevertheless ensure that individuals with disabilities receive the benefits and services of the program or activity.

Since the City communicates with applicants and beneficiaries by telephone, it must ensure that an effective telecommunication system such as communication which relies on use of the relay system or a TTY (or TDD) be used to communicate with individuals who are deaf, hard-of-hearing or who have speech disabilities. (A TTY has a keyboard and visual display for non-verbal communication with another TTY user or a relay system operator. The relay system is provided in each State and permits telephone communication between voice handsets and individuals using a TTY.)

In our modern society, operating a website that is generally accessible by all is a requirement. This includes those who utilize a screen reader to obtain a webpage's content. The City uploads its major publications and other documents in Portable Document Format (PDF) on its website for universal usage. The City staff recognizes that not all pages are accessible at this time, but remains committed to updating pages so that no one is unable to access City information. All questions and concerns about a webpage's accessibility can be directed to the ADA Compliance Coordinator.

#### *POLICIES, PRACTICES AND PROCEDURES*

The City must make reasonable modifications to policies, practices, and procedures to avoid discrimination against individuals with disabilities. While this requirement applies to all policies, practices, and procedures of the City, the City does not have to make modifications that would result in a fundamental alteration in the program, service, or activity or result in a direct threat to the health or safety of others. A direct threat is a significant risk that cannot be eliminated or reduced to an acceptable level by the City's modification of its policies, practices, or procedures, or by the provision of auxiliary aids or services. The public entity's determination that a person poses a direct threat to the health or safety of others may not be based on generalizations or stereotypes about the effects of a particular disability (see The ADA Title II Technical Assistance Manual).

#### *ADA PROCESS FOR COMPLYING WITH THE ADA*

The City is required to conduct a self-evaluation of municipal facilities under Section 504 of the Rehabilitation Act. The self-evaluation is a review of all city services, programs, and activities to identify any physical barriers or policies, practices, or procedures that may limit or exclude participation by people with disabilities. The self-evaluation includes permanent, temporary, and periodic services, programs, and activities. Specific areas of self-evaluation must include services, programs, or activities that are offered and in what location.

Any policies, practices, or procedures that may limit or exclude individuals with disabilities must be reasonably modified, unless doing so would result in a fundamental alteration in the nature of the service, program, or activity. The self-evaluation should identify changes to policies to be implemented. It should also identify any discriminatory policies, practices, and procedures that cannot be reasonably changed without resulting in a fundamental alteration.

The self-evaluation also identifies problems with the accessibility of facilities and establishes recommendations for providing program accessibility (which may include relocation to an accessible facility). It may also suggest short-term and long-term strategies to provide access to people with disabilities.

In September of 2012, the City of Portage approved revisions to the City's infrastructure specifications to include specifications for accessible public rights-of-way, design, and construction.

City's that completed a self-evaluation to comply with section 504 of the Rehabilitation Act only have to bring the 504 self-evaluation up to date with ADA requirements by evaluating the services, programs, and activities that have changed.

## **CHAPTER TWO: PUBLIC NOTICE**

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### **2.1 NOTICE REQUIREMENT**

Portage must provide notice to the public about its ADA obligations and about accessible facilities and services in the city. The notice must inform the public about the ADA's nondiscrimination requirements. It may also describe how the public or employees may contact specific city officials about problems with accessibility and the need for effective communication. The information must be accessible to the public, including people who have disabilities that affect communication, such as blindness, low vision, deafness, and hearing loss. Although no specific method is required to reach the public, notice can be provided in more than one format and by using more than one type of media, such as the City's website, print, radio, or television. The City of Portage has complied with such public notice requirements by including the ADA compliance notice and a copy of the transition plan on its website and placed in the Office of the Clerk-Treasurer.

### **2.2 PUBLIC NOTICE DOCUMENT – INCLUDED AS ADDENDUM B**

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

**Employment:** City of Portage 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 Portage 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 Portage 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 Portage 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 Portage 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 Portage, should contact the office of Community Development, Sandra Kolb at 219-762-4204 or [skolb@portage-in.com](mailto:skolb@portage-in.com) as soon as possible but no later than forty-eight (48) hours before the scheduled event.

The ADA does not require the City of Portage 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 Portage is not accessible to persons with disabilities should be directed to:

**Sandra Kolb, ADA Coordinator**  
**6070 Central Avenue**  
**Portage, IN 46368**  
**219-762-4204 (telephone)**  
**E-mail: [skolb@portage-in.com](mailto:skolb@portage-in.com)**

The City of Portage 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.

## **CHAPTER THREE: ADA COMPLIANCE COORDINATOR**

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### **3.1 DUTIES AND RESPONSIBILITIES**

Responsibilities for the ADA compliance coordinator include conducting the self-evaluation and development of the transition plan, handling requests for auxiliary aids and services, providing information about accessible programs and services, and serving as a local resource to the city. The ADA coordinator also has the responsibility to work with the City Council and senior management staff to ensure that new facilities or alterations to city facilities meet ADA requirements. The ADA coordinator is also responsible for receiving complaints from the public and working to resolve them.

### **3.2 APPOINTMENT OF ADA COMPLIANCE COORDINATOR**

The Mayor is the chief appointed officer and responsible for the day-to-day management of the City. As such, the Mayor, or his designee, shall serve as compliance coordinator.

## **CHAPTER FOUR: ADA GRIEVANCE PROCEDURE**

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### **4.1 GRIEVANCE PROCEDURES OVERVIEW AND INTENT**

The City of Portage currently employs over fifty (50) individuals and has an ADA grievance procedure. This grievance procedure provides people who feel they have been discriminated against because of their disability, or others who feel they have been discriminated against because they have a friend or family member with a disability, with a formal process to make their complaint known to the City. This procedure encourages prompt and equitable resolution of the problem at the local level without having to force individuals to file a Federal complaint or a lawsuit.

### **4.2 PORTAGE ADA GREIVANCE PROCEDURE**

Any person who believes that he or she as a member of a protected class, has been discriminated against based on race, color, national origin, gender, age, disability, religion, low income status, or Limited English Proficiency in violation of Title VI of the Civil Rights Act of 1964, as amended and its related statutes, regulations and directives, Section 504 of the vocational Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, as amended, the Civil Rights Restoration Act of 1987, as amended, and any other Federal nondiscrimination statue may submit a complaint. A complaint may also be submitted by a representative on behalf of such a person. A copy of the grievance form is attached as Addendum C.

It is the policy of the City of Portage to conduct a prompt and impartial investigation of all allegations of discrimination and to take prompt effective corrective action when a claim of discrimination is substantiated.

No one may intimidate, threaten, coerce or engage in other discriminatory conduct against anyone because they have taken action or participation in an action to secure rights protected by the civil rights laws. Any individual alleging such harassment or intimidation may submit a complaint by following the procedure printed below.

Any individual who feels that he or she has been discriminated against may submit a written or verbal complaint. The complaint may be communicated to any supervisor. The complaint should be submitted within 180 days of the alleged discrimination. Complaint forms may be found in the City of Portage, Office of the Clerk-Treasurer. Individuals are not required to use the City's complaint form. If necessary, Portage will help an individual reduce his or her complaint to writing for his or her signature.

Generally a complaint should include the name, address and telephone number of the individual complaining (complainant) and a brief description of the alleged discriminatory conduct including the date of harm. An individual submitting a complaint alleging discrimination may include any relevant evidence, including the names of witnesses and supporting documentation.

Complaints should be directed to:  
**Sandra Kolb, ADA Coordinator**  
**6070 Central Avenue**  
**Portage, IN 46368**  
**219-762-4204 (telephone)**  
**E-mail: [skolb@portage-in.com](mailto:skolb@portage-in.com)**

Within 60 days of the receipt of the complaint Portage will conduct an investigation of the allegation based on the information provided and issue a written report of its findings to the complainant. Portage will try to obtain an informal voluntary resolution to all complaints at the lowest level possible.

A complainant's identity shall be kept confidential except to the extent necessary to conduct an investigation. All complaints shall be kept confidential.

These procedures do not deny the right of any individual to file a formal complaint with any government agency or affect an individual's right to seek private counsel for any complaint alleging discrimination.

Complaints may also be filed with the following government agencies:

Indianapolis District EEOC Office  
101 West Ohio Street, Ste 1900  
Indianapolis, IN 46204  
Phone: (800) 669-4000  
Fax: (317) 226-7953  
TTY: 1 (800) 669-6820

Indiana Civil Rights Commission  
100 N. Senate Avenue, Room N103  
Indianapolis, IN 46204  
Toll Free: 1 (800) 628-2909  
Phone: (317) 232-2600  
Fax: (317) 232-6560  
Hearing Impaired: 1 (800) 743-3336

## ADDENDUM A

### SUMMARY OF SELF EVALUATION Revised May 10, 2018

#### CITY OF PORTAGE FACILITIES

##### Sidewalks

- Construct INDOT type accessible ramps at all locations new construction is occurring. Ongoing Process - Replaced 225 sidewalk ramps with updated ADA ramps during 2014 Paving Project.

##### City Hall

- Repaint parking stall striping.
- Stripe an accessible path from accessible parking stalls to accessible entrance.
- Install directional signage indicating the accessible route to an accessible entrance.

##### Police Station

- No items needed at this time – New construction completed October 2016.

##### Street Department/Utility Field Office

- Restripe the faded parking stall striping.
- New construction completed February 2015.

##### Portage Public Marina

- Install van accessible sign at trailer parking, southern most stall.

##### Fire Station #1

- No items needed at this time – Parking lot resurfaced 2016.

##### Fire Station #2

- No items needed at this time - Not an accessible site.

##### Fire Station #3

- No items needed at this time – New construction completed October 2016.
- Not an accessible site.

#### PORTAGE PARK DEPARTMENT FACILITIES

##### Woodland Park

###### Front Parking Lot

- Install accessible parking space signage per City of Portage standard detail at Veterans Memorial parking stall (southeast corner of lot).

###### Rear Parking Lot

- Install accessible parking space signage per City of Portage standard detail where signs are currently missing.

###### Blue Spruce Room North Parking Lot

- Remove the van accessible sign from right hand stall.

#### Sycamore Hall North Parking Stalls

- No items needed at this time – Stalls removed.

#### Shelter Parking

- No items needed at this time.

#### Playground

- No items needed at this time.

#### Dog Park

- Remove one of the accessible parking spaces and replace with access aisle stripes. Remove signage for that stall. Place a van sign on the other stall's accessible parking space signage.

#### Imagination Glen

##### Soccer Complex

- Install accessible parking space signage per City of Portage standard detail where signs are currently missing.
- Install van accessible parking space signage per City of Portage standard detail.
- Restripe the faded parking stall striping.

#### Frank Gilbert Jr. Memorial Park

- No items needed at this time.

#### Countryside Park

##### Northside (Boulder Avenue)

- Install accessible sidewalk ramps at Boulder Avenue per City of Portage standard detail.

##### Southside (U.S. Route 6)

- Install accessible parking space signage per City of Portage standard detail where signs are currently missing (center bank of parking).

#### Founders Square Park

- Install accessible parking space signage per City of Portage standard detail on west side of square.

#### Prairie Duneland Trail

- Install tactile pads at all roadway intersections and rail road intersections.

#### Iron Horse Heritage Trail

- Install tactile pads at all roadway intersections and rail road intersections.

#### Prairie Duneland Trail Parking Lots

##### Airport Road

- No items needed at this time.

##### McCool Road

- Stripe access isle for van accessible parking space north of existing accessible parking space.

Samuelson Road

- No items needed at this time.

Swanson Road

- No items needed at this time.

PORTAGE UTILITY SERVICE BOARD FACILITIES

Billing Office

- No longer a public access site.

Wastewater Treatment Facility

- Restripe faded accessible parking space striping.

PORTAGE REDEVELOPMENT COMMISSION FACILITIES

NIRPC Building

- No items needed at this time.

South Properties

- No items needed at this time.

CITY OF PORTAGE STANDARD DETAILS

Standard Detail Sheet

- No items needed at this time.

SIGNALIZED INTERSECTIONS

Airport Road at Pan Am Boulevard

- Lack of Provision for the Visually Impaired.

Willowcreek Road at Lute Road

- Lack of Provision for the Visually Impaired.
- Lack of updated ADA accessible sidewalk ramps.
- Restriping needed.

Willowcreek Road at Stone Avenue

- Lack of Provision for the Visually Impaired.
- Lack of updated ADA accessible sidewalk ramps.
- Restriping needed.

Willowcreek Road and Mulberry Avenue

- Lack of Provision for the Visually Impaired.
- Lack of updated ADA accessible sidewalk ramps.
- Restriping needed.

Willowcreek Road at Central Avenue

- Lack of Provision for the Visually Impaired.
- Lack of updated ADA accessible sidewalk ramps.

- Restriping needed.

Willowcreek Road at Old Porter Road

- Lack of Provision for the Visually Impaired.
- Lack of updated ADA accessible sidewalk ramps.
- Lack of painted crosswalks.

Willowcreek Road at Houston Avenue

- Lack of Provision for the Visually Impaired.
- Lack of updated ADA accessible sidewalk ramps.
- Lack of painted crosswalks.

Central Avenue at Irving Street

- Lack of Provision for the Visually Impaired.

Central Avenue at Vivian Street

- Lack of Provision for the Visually Impaired.

Central Avenue at Hamstrom Road

- Lack of Provision for the Visually Impaired.
- Lack of updated ADA accessible sidewalk ramps.
- Restriping needed.

Central Avenue and Dombey Road

- Not a pedestrian crossed intersection.
- No sidewalk down Central Avenue at Dombey Road.



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James E. Snyder

Mayor

*Efficiency & Excellence*

**NOTICE OF NONDISCRIMINATION UNDER  
THE AMERICANS WITH DISABILITIES ACT AND  
SECTION 504 OF THE REHABILITATION ACT OF 1973**

Pursuant to Title II of the Americans with Disabilities Act (ADA) of 1990 (as amended) (42 U.S.C. §§12101 et seq.) and Section 504 of the Rehabilitation Act of 1973, as amended (Section 504) (29 U.S.C. §794) and implementing regulations found in 28 CFR 35 and 49 CFR 27, the City of Portage (Portage) does not discriminate against qualified individuals with disabilities in its policies or in the admission of, access to, treatment of or employment in its program, services or activities.

Upon request, Portage will use its best efforts to provide appropriate auxiliary aids and services to facilitate effective communication for qualified persons with disabilities so that they have an equal opportunity to obtain the same result, to gain the same benefit or to reach the same level of achievement as provided to others. These efforts may include providing qualified sign language interpreters, brailled documents, and other products and services to make communications accessible to individuals with speech, hearing and vision impairments.

Upon request, Portage will make reasonable modifications to policies and programs to ensure that qualified individuals with disabilities have an equal opportunity to enjoy its programs and activities. Portage is not required to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

Portage will not place a surcharge on qualified individuals with disabilities to cover the cost of providing auxiliary aids, services or reasonable modifications of policies.

Inquires or complaints regarding Section 504 or the ADA should be directed to:

Sandra McDaniel  
ADA Coordinator  
6070 Central Avenue  
Portage, IN 46368  
(219)762-4204

Portage will investigate all complaints in accordance with the Portage's Title VI complaint process, which is also used for ADA complaints, and promptly take any remedial action deemed

necessary to provide an equitable resolution to overcome the effects of a substantiated violation.

  
\_\_\_\_\_  
James E. Snyder  
Mayor

10/11/10  
\_\_\_\_\_  
Date

**ADDENDUM C**

**GRIEVANCE FORM**

Complainant: \_\_\_\_\_

Address: \_\_\_\_\_

City, State and Zip Code: \_\_\_\_\_

Telephone: Home: \_\_\_\_\_ Business: \_\_\_\_\_

Person Discriminated Against:  
(if other than the complainant) \_\_\_\_\_

Address: \_\_\_\_\_

City, State and Zip Code: \_\_\_\_\_

Telephone: Home: \_\_\_\_\_ Business: \_\_\_\_\_

Describe the acts of discrimination providing the name(s) where possible of the individuals who discriminated: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date of when the discrimination occurred: \_\_\_\_\_

Has the complaint been filed with any other Federal, State or local civil rights agency or court?

Yes \_\_\_\_\_ No \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Return to:

Sandra Kolb  
ADA Coordinator  
6070 Central Avenue  
Portage, IN 46368