

# **TOWN OF SILVER LAKE**

**American with Disability Act**

**ADA Transition Plan for Public Right of Way**



## **TABLE OF CONTENTS**

- 1. INTRODUCTION**
- 2. TRANSITION PLAN OUTLINE**
  - A. ADA COORDINATOR**
  - B. GRIEVANCE PROCEDURE**
  - C. SELF EVALUATION, COMMITMENT & SCHEDULE**
  - D. ADA STANDARDS AND GUIDELINES**
- 3. IMPLEMENTATION**

**COMPLAINT/GRIEVANCE FORM**

## INTRODUCTION

The American with Disabilities Act (ADA) was enacted on July 26, 1990, and later amended effective January 1, 2009. As written and implemented, the ADA provides civil rights protections to persons with disabilities in the area of employment, state and local government services, access to public accommodations, transportation, and telecommunication. The ADA is a companion civil rights legislation to the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. In order to be protected under the ADA one must have a disability, have a relationship, or have association with someone who has a disability. Persons with a disability are defined as someone who has a physical or mental impairment that limits one or more major life activities. The ADA does NOT specifically name all of the impairments that are covered.

The ADA is distributed into several sections covering the following topics:

- Employment
- Public Service
- Public Accommodations
- Telecommunication
- Miscellaneous Provisions

State and local governments are prohibited from discriminating against people with impairments and from excluding their participation/benefits of programs, services or activities. The transition plan outlined herein is designated provide methods to comply with the ADA and to abide by non-discrimination policies.

## **TRANSITION PLAN OUTLINE**

The following Transition Plan for Public Rights-of Way for the Town of Silver Lake outlined below is to ensure program accessibility for disabled community participants:

### **A. ADA COORDINATOR:**

The Town of Silver Lake has delegated the Silver Lake Clerk-Treasurer as the ADA Coordinator to ensure that any complaints or grievances are filed promptly and satisfactory in a timely manner. The ADA coordinator is to ensure that the responsibilities of compliance are carried out appropriately, this included but not limited to receipt of complaint, investigation, report to proper authorities, response and resolution. The Silver Lake Town Council has adopted Resolution 12-2-12 in which adopts the ADA Coordinator and procedures for all grievances made. Complaints must be directed to the Silver Lake Clerk-Treasurer, ADA Coordinator, PO Box 159, 604 N Jefferson St., Silver Lake, IN 46982.

### **B. GRIEVANCE PROCEDURES:**

Grievance procedures are established to adhere to the standards of ADA requirements. Individuals filing a complaint allege that discrimination was made on the basis of one's disability and prevention of benefits from public services, activities, and programs within the Town of Silver Lake. Complaints should be made in writing and include the grievant name, address, phone number, and a description of the matter including the location and date. Request of personal interviews or recording of complaint will be made available to an individual seeking this method of filing. The grievant or his/her designee should file complaint as soon as possible but no later than 60 days after occurrence.

Within 15 calendar days after receipt of the complaint, the Clerk-Treasurer shall meet with the complainant to discuss the grievance and a possible resolution. Following the meeting the Clerk-Treasurer will have 15 days to respond in writing, audio, or other method to communicate regarding the position of the Town of Silver Lake and offer options of resolution. If this response is not satisfactory the complainant may file an appeal with the Town Superintendent. The Superintendent must meet with the filer within 15 days at which time the complaint will be discussed and options for resolution. The Superintendent must give written, audio, or other method of response within 15 days with the

finalization of a resolution to the matter. Complaints and responses shall be retained by the Town of Silver Lake for a minimum of three years.

### **C. SELF EVALUATION/COMMITMENT**

The Town of Silver Lake has and will continue to conduct an inventory of evaluations of curbs, ramps, crosswalks, and sidewalks for pedestrian travel using aerial and street level viewing and/or photography. Self-evaluation has shown most areas for pedestrian travel including those with disabilities meet the ADA standards. However, the Town is committed to making all the above mentioned compliant with ADA standards. The following methods will be used to accomplish this goal:

1. All new construction, reconstruction, and alterations are within the compliance of ADA standards. This includes grant projects and those controlled and inspected by Public Works Departments.
2. The Town will keep and maintain a log regarding sidewalk replacement annually and as funds exist replace or repair those that do NOT meet standards provided within the ADA.
3. Curbs and ramps will be painted and maintained to remain visible and to meet ADA requirements and inspected on frequently.
4. Curbs, ramps, crosswalks, and sidewalks will be free of obstacles and barriers as to not prohibit use to pedestrians including those with disabilities.
5. Prioritization schedules will be kept and updated on an annual basis.

### **D. ADA STANDARDS AND GUIDELINES:**

The standards are to apply to all new construction with in the Town Right-of-Way. INDOT's designed guidelines and standards drawing will serve as primary standard and guidelines for this plan. Other standards if necessary will be applied by the discretion of the ADA Coordinator and the Town Superintendent.

## IMPLEMENTATION

The Town of Silver Lake is committed to the following guidelines outlined in the Silver Lake Transition Plan and standards required by the ADA. This document will be updated as information becomes available or discovered by the ADA Coordinator. The Town of Silver Lake will remain to be vigilant to meet requirements as to not interfere with pedestrian travel including those individuals with disabilities. A copy of this document will be placed on the Town's website at [www.townofsilverlake.com](http://www.townofsilverlake.com) and the office of the Clerk-Treasurer made available for public view.

RESOLUTION 12-1-12

**A RESOLUTION OF THE SILVER LAKE COUNCIL  
OF THE TOWN OF SILVER LAKE, KOSCIUSKO COUNTY, INDIANA  
ADOPTING THE AMERICANS WITH DISABILITIES ACT (ADA)  
ACCESSIBILITY GUIDELINES FOR STANDARDS FOR ACCESSIBLE DESIGN  
AND  
GUIDELINES FOR PEDESTRIAN FACILITIES IN THE PUBLIC RIGHT-OF-WAY**

**WHEREAS**, the Federal government enacted the Americans with Disabilities Act of 1990 (ADA) to prevent discrimination of the physically and mentally disabled relating to employment and access to public facilities; and

**WHEREAS**, Title II of the ADA requires that municipalities adopt the Americans with Disabilities Standards for Accessible Design that provide accessibility, through proposed structural modifications to remove accessibility barriers; and

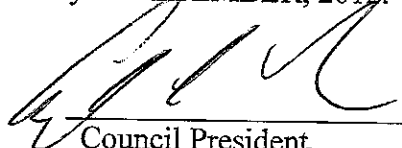
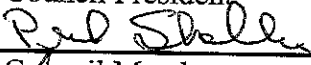
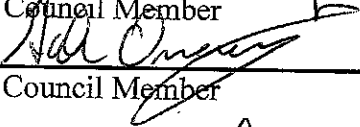
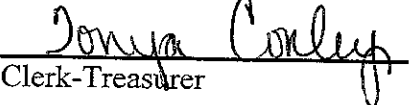
**WHEREAS**, Title II of the ADA recommends that municipalities adopt the Americans with Disabilities Guidelines for Pedestrian Facilities in the Public Right-of-Way that provide accessibility, through proposed structural modifications to remove accessibility barriers; and

**WHEREAS**, the United States Department of Justice recently modified the ADA Standards for Accessible Design and the Guidelines for Pedestrian Facilities in the Public Right-of-Way in 2010 and 2011, respectively; and

**WHEREAS**, the Town of Silver Lake remains committed to the ADA and the elimination of barriers to public facilities; and

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Silver Lake hereby adopts the 2010 Americans with Disabilities (ADA) Standards for Accessible Design and 2011 Guidelines for Pedestrian Facilities in the Public Right-of-Way.

**PASSED, APPROVED AND ADOPTED** this 11TH day of DECEMBER, 2012.

  
\_\_\_\_\_  
Council President  
  
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Council Member  
  
\_\_\_\_\_  
Council Member  
  
\_\_\_\_\_  
Clerk-Treasurer

**RESOLUTION 12-2-12**

**A RESOLUTION OF THE TOWN COUNCIL  
OF THE TOWN OF SILVER LAKE, INDIANA  
ADOPTING THE AMERICANS WITH DISABILITIES ACT (ADA)  
ADA COORDINATOR AND PROCEDURES**

**WHEREAS**, the Federal government enacted the Americans with Disabilities Act of 1990 (ADA) to prevent discrimination of the physically and mentally disabled relating to employment and access to public facilities; and

**WHEREAS**, in compliance with Title II of the ADA the Town of Silver Lake shall name an ADA Coordinator; and

**WHEREAS**, in compliance with Title II of the ADA the Town of Silver Lake shall adopt a grievance procedure for resolving complaints alleging violation of Title II of the ADA; and

**WHEREAS**, in compliance with Title II of the ADA the Town of Silver Lake shall publish notice to the public regarding the ADA;

**WHEREAS**, in compliance with Title II of the ADA the Town of Silver Lake shall post the ADA coordinator's name, office address, and telephone number along with the ADA Notice and ADA grievance procedure on its website.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Silver Lake, Indiana:

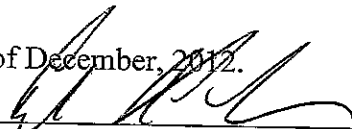
The Clerk-Treasurer is designated as the ADA Coordinator for the Town.

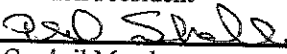
The Notice under the Americans with Disabilities Act, a copy of which is attached hereto, is adopted as the Town of Silver Lake Notice under the Americans with Disabilities Act.

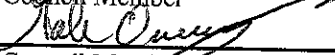
The Town of Silver Lake Grievance Procedure under the Americans with Disabilities Act, a copy of which is attached hereto, is adopted as the grievance procedure for addressing complaints alleging discrimination on the basis of disability in the provision of services, activities, programs or benefits by the Town of Silver Lake.

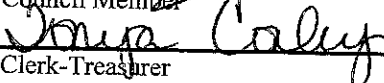
In compliance with Federal and State laws as set forth above, the Town Council resolves to post the required information regarding the ADA coordinator, Notice under the Americans with Disabilities Act, and Town of Silver Lake Grievance Procedure under the Americans with Disabilities Act on its website and at such other locations as may be determined from time to time.

**PASSED, APPROVED AND ADOPTED** this 11<sup>th</sup> day of December, 2012.


  
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Council President

  
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Council Member

  
\_\_\_\_\_  
Council Member

  
\_\_\_\_\_  
Clerk-Treasurer





Local Public  
Agency Seal

## **The Town of Silver Lake 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 **Town of Silver Lake**. The Town of Silver Lake'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 60 calendar days after the alleged violation to:

**Tonya Conley**  
**ADA Coordinator and Silver Lake Clerk-Treasurer**  
**PO Box 159, Silver Lake, IN 46982**

Within 15 calendar days after receipt of the complaint, **Tonya Conley** or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, **Tonya Conley** or *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 **Town of Silver Lake** and offer options for substantive resolution of the complaint.

If the response by **Tonya Conley** or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to **Jasun Blocher, Town Superintendent or his designee**.

Within 15 calendar days after receipt of the appeal, the **Town Superintendent** or *his* designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **Town Superintendent** or *his* designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by **Tonya Conley** or *her* designee, appeals to the **Town Superintendent** or his designee, and responses from these two offices will be retained by the **Town of Silver Lake** for at least three years.

**RESOLUTION 12-3-12**

**A RESOLUTION OF THE TOWN COUNCIL  
OF THE TOWN OF SILVER LAKE, INDIANA  
ADOPTING THE AMERICANS WITH DISABILITIES ACT (ADA)  
TRANSITION PLAN  
FOR PEDESTRIAN FACILITIES IN THE PUBLIC RIGHT-OF-WAY**

**WHEREAS**, the Federal government enacted the Americans with Disabilities Act of 1990 (ADA) to prevent discrimination of the physically and mentally disabled relating to employment and access to public facilities; and

**WHEREAS**, Title II of the ADA requires that municipalities develop and adopt a Transition Plan documents physical barriers to accessibility, proposed structural modifications to remove those barriers, and a schedule to complete the modifications; and

**WHEREAS**, the Town of Silver Lake adopted Resolution 12-1-12 pertaining to ADA Standards for Accessible Design and Guidelines for Pedestrian Facilities in the Public Right-of-Way; and

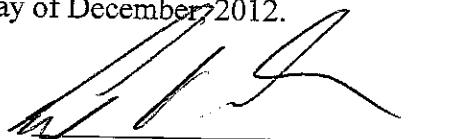
**WHEREAS**, the United States Department of Justice recently modified the ADA Standards for Accessible Design and the Guidelines for Pedestrian Facilities in the Public Right-of-Way in 2010 and 2011, respectively; and

**WHEREAS**, the Town of Silver Lake remains committed to the ADA and the elimination of barriers to public facilities; and

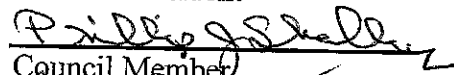
**WHEREAS**, a Transition Plan for the pedestrian network has been prepared that reflects current municipality infrastructure and ADA design standards, referred to as the "ADA Transition Plan: Pedestrian Network;"

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Silver Lake hereby approves the ADA Transition Plan: Pedestrian Network.

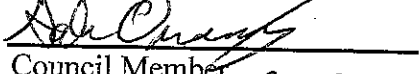
**PASSED, APPROVED AND ADOPTED** this 11<sup>th</sup> day of December, 2012.



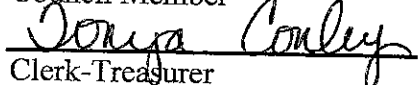
Council President



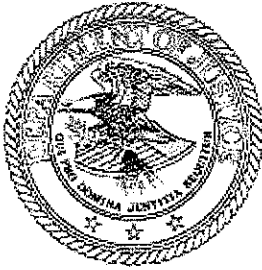
Council Member



Council Member



Clerk-Treasurer



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

**Employment:** **Town of Silver Lake** 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:** **Town of Silver Lake** will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in **Town of Silver Lake'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:** **Town of Silver Lake** 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 **Town of Silver Lake** 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 **Town of Silver Lake**, should contact the office of **Silver Lake Clerk-Treasurer at PO Box 159 Silver Lake, IN 46982, by phone 260-352-2120 or email at [tconley@townofsilverlake.com](mailto:tconley@townofsilverlake.com)** as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the **Town of Silver Lake** 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 **Town of Silver Lake** is not accessible to persons with disabilities should be directed to **Silver Lake Clerk-Treasurer at PO Box 159 Silver Lake, IN 46982, by phone at 260-352-2120, or email at [tconley@townofsilverlake.com](mailto:tconley@townofsilverlake.com)**.

**Town of Silver Lake** 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.

# ADA Priorities

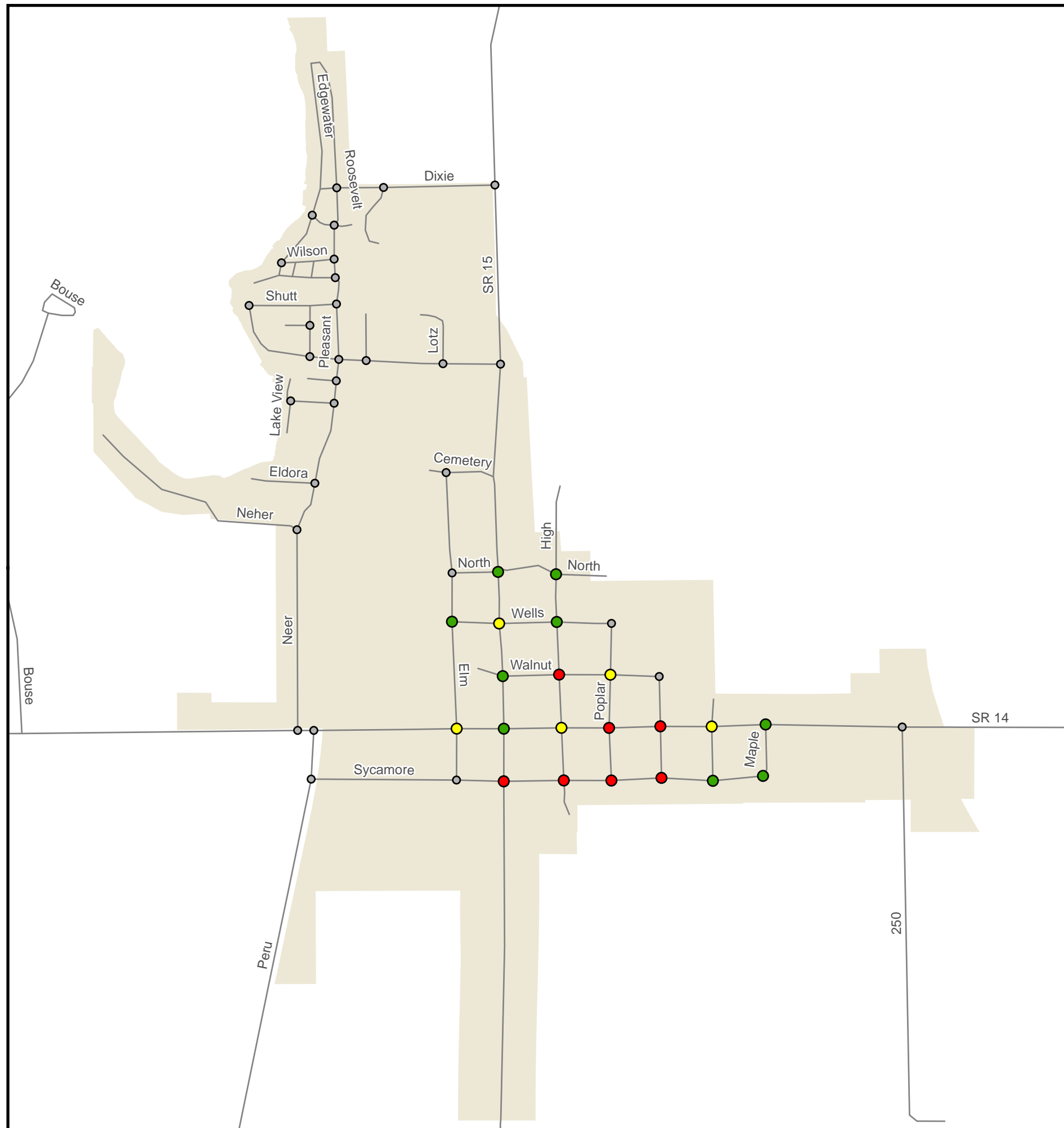
## Town of Silver Lake



0 0.05 0.1 0.2 Miles

Coordinate grid is based on Indiana East State Plane Coordinate System 1983 North American Datum.

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# Legend

- Low Priority
- Medium Priority
- High Priority
- No Sidewalks



Date Printed: 11/14/2012

Source: Map Source, date of validity, and other relevant information.

F:\GIS\Working\ADA\ADA Intersection.mxd


# Priority Matrix


## Silver Lake


### Total Intersection Per Priority

	1	2	3
Access Grade	Locations serving Government Facilities	Locations serving Commercial & Employment Centers	Locations serving Other Areas
E	1	0	4
D	2	0	2
C	0	3	3
B	1	1	2
A	0	0	2

Legend

High: 

Med: 

Low: 

### Ranking Intersections by Priority

High 7						
ID	N/S Street	E/W Street	Zone	Condition	Priority	Type of Evaluation
4310962	S High Street	E Sycamore Street	Government	33.3	1E	Preliminary
4310969	N High Street	E Walnut Street	Other	38.3	3E	Preliminary
4310987	S Columbia Street	E Sycamore Street	Other	42.5	3E	Preliminary
4310967	N Popular Street	E Main Street	Other	47.5	3E	Preliminary
4310965	S Columbia Street	E Main Street	Other	50.0	3E	Preliminary
4310963	S Popular Street	E Sycamore Street	Government	55.8	1D	Preliminary
4310951	S Jefferson Street	W Sycamore Street	Government	55.8	1D	Preliminary
Med 5						
ID	N/S Street	E/W Street	Zone	Condition	Priority	Type of Evaluation
4310982	N Popular Street	E Walnut Street	Other	54.2	3D	Preliminary
4310944	N Jefferson Street	Wells Street	Other	55.8	3D	Preliminary
4310953	Elm Street	W Main Street	Commercial	63.3	2C	Preliminary
4310966	S High Street	E Main Street	Commercial	65.0	2C	Preliminary
4310990	S Harrison Street	E Main Street	Commercial	66.7	2C	Preliminary
Low 9						
ID	N/S Street	E/W Street	Zone	Condition	Priority	Type of Evaluation
4310985	S Harrison Street	E Sycamore Street	Other	64.2	3C	Preliminary
4310976	N Jefferson Street	E Walnut Street	Other	65.8	3C	Preliminary
4310997	N Jefferson Street	North Street	Other	66.7	3C	Preliminary
4310992	Maple Street	E Sycamore Street	Other	78.3	3B	Preliminary
4310940	N High Street	E Wells Street	Other	78.3	3B	Preliminary
4310972	Jefferson (SR 15) Street	Main (SR 14) Street	Government	78.7	1B	Detailed
4310986	Maple Street	E Main Street	Commercial	83.3	2B	Preliminary
4311047	N High Street	North Street	Other	89.2	3A	Preliminary

## Silver Lake

4310939	Elm Street	Wells Street	Other	89.2	3A	Preliminary
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