



ADA - Disabilities Transition Plan

Project Background

The Americans with Disabilities Act (ADA) of 1990 is a civil rights statute that prohibits discrimination against people with disabilities. There are five separate Titles (or sections) of the Act relating to different aspects of potential discrimination. Title II specifically addresses the subject of making public services accessible to those with disabilities.

Project Scope

The Town of Kitty Hawk strives to assure that Town services and programs are accessible. A majority of the Town facilities have been designed, built, and renovated to comply with federal and state accessibility code requirements. However, since some facilities may have barriers that could limit full accessibility, the Town is developing an ADA Transition Plan to enable the Town to remove identified barriers.

The ADA Transition Plan will also establish precedence for future projects to ensure that the Town buildings and facilities are equally accessible to all.

Notice

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

Employment: Town of Kitty Hawk 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 Kitty Hawk 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 Kitty Hawk 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 Kitty Hawk 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 Kitty Hawk 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 Kitty Hawk should contact the office of William Midgett, ADA Coordinator at 252-261-1367 as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Town of Kitty Hawk 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 Kitty Hawk is not accessible to persons with disabilities should be directed to William Midgett, ADA Coordinator at 252-261-1367.

Town of Kitty Hawk 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.

Grievances

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 Kitty Hawk. The Town'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:

William Midgett, ADA Coordinator

Public Works Director

P.O. Box 549

Kitty Hawk, NC 27520

e-mail: wmidgett@kittyhawktown.net

Phone: 252-261-1367

Within 15 calendar days after receipt of the complaint, William Midgett or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, William Midgett or his 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 Kitty Hawk and offer options for substantive resolution of the complaint.

If the response by William Midgett or his 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 Andy Stewart, Town Manager or his designee.

Within 15 calendar days after receipt of the appeal, the Town Manager or his designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Town Manager 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 William Midgett or his designee, appeals to the Town Manager or his designee, and responses from these two offices will be retained by the Town of Kitty Hawk for at least three years.