

City of Fife

ADA Transition Plan

DRAFT

Notice

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by Al King, PE



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NOTICE OF THE ADA'S PROVISIONS

An ADA administrative requirement is providing public notice¹ about the ADA to potential recipients of City programs. Every agency falls under this requirement. And it is more complex than simply providing an advertisement with employment solicitations or Public Service Announcements. There are three main considerations for providing notice:

1. Who is the target audience for the ADA notice?
2. What information shall the notice include?
3. Where and how should the notice be provided?

Who is the target audience?

The target audience for public notice includes applicants, beneficiaries, and other people interested in the state or local government's programs, activities, or services. The audience is expansive and includes everyone who interacts – or would potentially interact – with the City and any of its Departments.

Examples of the Target Audience for the ADA Notice

- a recipient of social services, food stamps, or financial assistance provided by or through the City
- an applicant for a public library card
- a person who uses the City parks
- a senior who participates in the Painters Club
- a child who wants to swim at the Fife Aquatic Center
- a grandmother attending her grandchild's graduation in a city park
- a member of a citizen's advisory committee, perhaps the ADA Committee
- a recipient of a grant through the City from Washington State
- a citizen who wants to participate in a City council meeting

What's in the Notice?

The notice is required to include relevant information regarding Title II of the ADA, and how it applies to the programs, services, and activities of the public entity.

The notice on Page 3 is based on the Department of Justice model. A one-page document in a standard font, it includes brief statements about employment, effective communication, making reasonable modifications to policies and programs, not placing surcharges on modifications or auxiliary aids and services, and filing complaints.

How and Where Should the Notice be Provided?

This is perhaps the most challenging aspect of the notice requirement; in that it is not a onetime requirement. Rather the City must provide notice on an ongoing basis such that those

¹ 28 C.F.R § 35.106.

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affected have a reasonable opportunity to obtain the information in it, even though they may only be a casual user of City services and facilities. The City should provide the information on an ongoing basis.

It is the obligation of the Mayor to determine the most effective way of providing notice to the public about their rights and the City's responsibilities under the ADA. Venues to provide notice would include the radio, local newspapers, television, or City utility or event mailings. The notice should be re-published and re-broadcast periodically.

Ways to Provide Notice to Interested Persons

- Include the notice with **City job applications**
- Publish the notice periodically in **The Tacoma News Tribune**
- Broadcast the notice in public service announcements on **KNKX** radio or **Pierce County TV**
- Publish the notice on the **City's website** (ensure that the website is accessible)
- Post the notice **at all City facilities**
- Include the notice in **program handbooks**
- Include the notice in **activity schedules**
- Announce the notice at **meetings** of programs, services, and activities
- Publish the notice as a **legal notice** in the City's official newspaper
- Post the notice in bus shelters or other **public transit stops**

The information must be presented so that it is accessible to all. Therefore, it must also be available in alternative formats.

Alternative Formats

- Audio tape or other recordings
- Radio announcements
- Large print notice
- Braille notice
- Use of a **qualified sign language interpreter** at meetings
- Open or closed-captioned public service announcements on television
- ASCII, HTML, or word processing format on a computer USB thumb drive or CD/DVD
- HTML format on an accessible website
- Advertisements in publications with **large print versions**

All of these alternatives should be considered. Any use of social media by the City should have a link to the notice as well. The ADA Coordinator should work closely with the Mayor and Department ADA Liaisons to provide an appropriate level of notice on an ongoing basis, and to ensure that new programs or publications incorporate the notice on a timely basis.

CITY OF FIFE 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 City of Fife ("City") will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

The City 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.

The City 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'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.

The ADA does not require the City to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

The City will make such 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 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 should contact the ADA Coordinator as soon as possible but no later than 48 hours before the scheduled event. Email may be used but may take longer than a phone call.

The City of Fife 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.

Complaints that a program, service, or activity of the City is not accessible to persons with disabilities should be directed to the ADA Coordinator in accordance with the City of Fife Grievance Procedure under the Americans with Disabilities Act (Title II). A copy of the procedure may be obtained by contacting the office of the City's ADA Coordinator:

Mr. John Doe, ADA Coordinator