

CITY OF GERVAIS

Americans with Disabilities Act Public Accommodations Policy

I. POLICY:

The City of Gervais does not discriminate on the basis of disability in the admission or access to, or treatment, or employment in, its programs or activities.

II. PURPOSE:

The purpose of this policy is to outline City Management and staff's responsibilities to members of the public who request accommodations under the Americans with Disability Act ("Act").

III. DEFINITIONS:

The definitions in the Act apply to the same word or phrase as used in this Policy.

IV. PROCEDURES:

A. Key Elements of the Act:

The Act was adopted in part to ensure that individuals with disabilities covered by the Act are not denied receipt of public programs, activities or services due to a qualified disability.

B. Obligations to the Public Under the Act:

1. Physical Barriers

New buildings must be built so that they are readily accessible to disabled individuals. Architectural barriers must be removed from existing buildings if such removal is "readily achievable." Readily achievable is a standard which allows organizations to determine if the changes can be made without great difficulty or expense. If a facility is undergoing renovation, then the renovated area must be made accessible.

2. Public Accommodations

The Act applies to ensure members of the public that have disabilities have an equal opportunity to enjoy all City programs, services, and activities.

The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. In addition, 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.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City program, service, or activity, should complete and submit the Public Meeting/Service Accommodation Request Form ("Form") available on the City's website and at City Hall, and attached to this Policy as Appendix A.

V. PROCESS FOR REQUESTING REASONABLE ACCOMMODATION

A. Receiving a Request

The process of identifying whether and to what extent a reasonable accommodation is required should be flexible and should involve both the City and the individual making the request. Determinations as to what accommodations are reasonable must necessarily be made on a case-by-case basis.

A request should be made at least 48 hours before the accommodation is required, however the City should not deny a request for reasonable accommodation solely because the request was made with less than 48 hours' notice. A request should state the person's name, contact information, the type of accommodation requested, and relevant meeting/service information such as the meeting/service date, time, location, and room phone number (if known). A request may be made on the Public Meeting/Service Accommodation Request Form, but the City should not deny a request solely because the request is not made on the Form.

When the City receives a request from a member of the public for an accommodation, it should engage in an interactive process with the requester to determine what accommodations are reasonable under the circumstances. The City should avoid making unreasonable inquiries into the person's disability. Generally, in working with the requester on their request for reasonable accommodation, the City may ask:

- 1) Is this accommodation required because of a disability?
- 2) What task or activity do you need this accommodation for?

The City may not ask about the nature or extent of the requester's disability, or require medical documentation.

The City should assess whether the requested accommodation or another reasonable accommodation may be provided without jeopardizing the safe operation of the program, service or activity, or without fundamentally altering the program, service or activity. If so, the City should provide the accommodation.

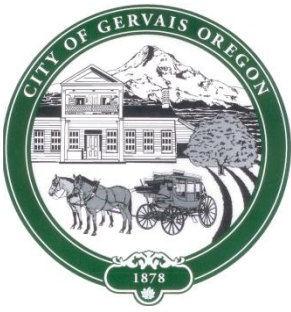
B. “Undue Hardship” Exception from the Reasonable Accommodation Requirement

The failure to provide reasonable accommodation may be justified where the City can demonstrate that the accommodation would impose undue hardship on its operations. This must be determined on a case-by-case basis.

“Undue hardship” is defined as any action requiring significant difficulty or expense, taking into account such factors as:

- The number of persons employed at the City.
- The effect of the reasonable accommodation on expenses and resources.
- The impact of the accommodation on the operation of the City.
- The overall financial resources of the City.
- The number, type, and location of its facilities.

Any of the factors may be considered in determining whether providing an accommodation would impose an undue hardship on the City, and the weight given to a factor will vary depending on the facts of the particular situation



CITY OF GERVAIS

592 Fourth Street/PO Box 329, Gervais, Oregon 97026-0329
503-792-4900 Administration Office; 503-792-3791 Fax
Text Tel. (TTY) 1-800-735-2900 Spanish (TTY/V) 1-800-735-3896

Public Meeting/Service Accommodation Request Form

Date of Request: _____

Person Making Request:

Name: _____

Mailing Address: _____

Phone: _____ Email: _____

Relationship to Person Requiring Accommodation: _____

Person Requiring Accommodation (if different than above):

Name: _____

Mailing Address: _____

Phone: _____ Email: _____

TYPE OF ACCOMMODATION REQUESTED:

- Disability Accommodation (explain): _____
- Sign Language
- Written material in alternate format
- Reader
- Other (describe): _____

Public Meeting/Service Information:

Public Meeting/Service: _____

Meeting/Service Date & Time: _____

Meeting/Service Location: _____

Meeting/Service Rm Phone #: _____

**Submit completed form to City Manager at 592 4th Street, Gervais OR 97026 or
smarston@cityofgervais.com**

The City of Gervais does not discriminate on the basis of disability in admission to or operation of its programs, services or activities. This form may be used by a private citizen with a disability seeking access to a city program or facility. The City appreciates requests for accommodations to be made 72 hours in advance.