

ADA Grievance Procedure

Purpose

This grievance procedure is established to meet the requirements of the Americans with Disabilities Act and 2008 ADA Amendments. It may be used by anyone who wishes to appeal the decision of a department in response to a request for accommodation or modification of services, activities, programs or benefits by the City of Cannon Beach. This grievance procedure does not apply to complaints alleging discrimination in employment policies or practices.

This grievance procedure is established to provide a vehicle that will allow objective fact finding to occur, followed by a discussion of options, with mediation that attempts to find a mutually acceptable solution to any issue identified. The goal of this process is to preclude the need to grieve or appeal a request for accommodation to another level of government.

Procedure

The complainant and/or his/her designee should submit the grievance as soon as possible, but no later than 30 calendar days after the alleged discrimination, to the City of Cannon Beach ADA Coordinator, Richard C. Mays, 163 E. Gower Street, PO Box 398, Cannon Beach, OR 97110, Telephone: 503-436-8050, TTY: 503-436-8097, Fax: 503-436-8097.

The complaint should be in writing and contain the following information about the alleged discrimination: **Name, address, phone number of complainant; location, date, and description of the alleged discrimination; and date and name of department contact involved in the alleged discrimination.** Upon request, alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities.

Within 15 calendar days after receipt of the complaint, the City ADA Coordinator will meet with the complainant to discuss the complaint and possible resolutions.

Within 15 calendar days after the meeting, the City ADA Coordinator 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 provide a final resolution of the complaint.

If the ADA Coordinator does not satisfactorily resolve the issue, the complainant or his designee may file an appeal of the decision of the ADA Coordinator to the Cannon Beach City Council within 15 calendar days after the receipt of the response.

Within 30 calendar days after the receipt of the appeal, the Cannon Beach City Council will hear the appeal of the complainant. Within 15 calendar days after closing the appeal



hearing, the Cannon Beach City Council will respond in writing and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

A complainant may, before or after receiving the ADA Coordinator's decision and/or the City Council's decision, pursue all legal remedies available by law.

All appeals received and responses given by the City ADA Coordinator will be kept by the City of Cannon Beach for at least three years, as required by the Americans with Disabilities Act (ADA) and the City Records Retention Schedule.

Dated: April 7, 2009

Adopted by Cannon Beach City Council 5-2-00; amended 8-7-01; 9-29-03; amended 4/7/09

