



CITY OF FAIRVIEW, TN

ADA TRANSITION PLAN

Updated March 19, 2020

INTRODUCTION

The City of Fairview ADA Transition plan (hereafter referred to as “the plan”) is intended to guide the City’s efforts to provide an accessible transportation system program within City limits. The purpose of the plan is to identify deficiencies in City policies, procedures and physical assets. The plan also provides guidance for removal of accessibility barriers. The plan will be updated regularly to track ongoing needs towards compliance.

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability by any program or activity receiving federal financial assistance. Discrimination may consist of exclusion from participation in or denial of the benefits of programs and activities operated by a department, agency or other form of state or local government. Section 504 applies to the City of Fairview, as well as all sub-recipients of federal funds.

The Americans with Disabilities Act (ADA) of 1990 lends further protection of the basis established by Section 504 by prohibiting discrimination on the basis of disability by public entities regardless of whether they receive federal financial assistance. The Act is divided into five titles describing requirements related to:

- (I) Employment
- (II) State and local government services
- (III) Public accommodations
- (IV) Telecommunications
- (V) Miscellaneous provisions

Title II of the Act specifically applies to state and local government services and the programs and activities they administer, including items build before and after 1990.

Public entities with fifty (50) or more employees must develop a transition plan identifying areas that need (or may need) any structural changes to meet program compliance. At a minimum, the plan must meet the requirements stated in 28 CFR 35.150(d)(3) as follows:

- i. Identify physical obstacles in the City's facilities that limit the accessibility of its programs or activities to individuals with disabilities
- ii. Describe the methods that will be used to make the facilities accessible
- iii. Specify the schedule for taking the steps necessary to achieve compliance
- iv. Indicate the official responsible for implementation of the plan

Public entities responsible for streets, road or walkways must include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving City offices and facilities, transportation, places of public accommodation and employers, followed by walkways serving other areas [23 CFR 35.150(d)(2)].

The City's transition plan addresses minimum plan requirements relating to physical assets, including facilities and rights-of-way owned and maintained by the City. Facilities are defined to include any City office or maintenance buildings. Rights-of-way features include, but are not limited to, curb ramps, sidewalks, crosswalks, median crossings and pedestrian activated signal systems.

The City of Fairview does include annual funding for the construction and maintenance of facilities, rights-of-way, and infrastructure, for the purpose of furthering its efforts to full ADA compliance. This includes the adoption of City of Fairview Resolution 14-19, which specifically identifies opportunities for this funding outside of the city's regular and customary revenue sources.

The City must provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the plan by submitting comments. A copy of the transition plan must be made available for public inspection [28 CFR 35.15(d)(1)].

ADA GRIEVANCE PROCEDURE

The grievance procedure is a process developed to meet the requirements of the Americans with Disabilities Act. 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 of the City of Fairview.

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 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 to the grievant (the City of Fairview) as soon as possible but no later than sixty (60) calendar days after the alleged violation to:

Bryan Bissell
ADA Coordinator
City of Fairview
7100 City Center Way
Fairview, TN 37062

adacoordinator@fairview-tn.org
615-799-1572

Within fifteen (15) business days after receipt of the complaint, the City will meet with the complainant to discuss and review the violation and possible resolutions. Within fifteen (15) business days after the aforementioned meeting, the City will respond in writing to explain the position of the City and offer options for resolution.

If the response does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA coordinator within fifteen (15) days after receipt of the response to the city manager or his/her designee. The city manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. After the meeting, the city manager will respond in writing with a final resolution.

All written complaints received by the City, appeals to the city manager or his/her designee and responses from the ADA coordinator and the city manager or his/her designee will be kept by the City of Fairview for a minimum of three (3) years.

TRANSITION PLAN

AREA	DESCRIPTION	STATUS
City Hall Administrative Building	Inspect for accessible parking (to include striping and signs) and entry (ramps, handrails, automatic door opener) to the building Inspect for correct slope on ramps	Complete. Automatic door opener to be installed in Fiscal Year 2021. Concrete repairs to be made in Fiscal Year 2021.
Police Department Headquarters	Inspect for accessible parking (to include striping and signs) and entry (ramps, handrails, automatic door opener) to the building Inspect for correct slope on ramps	Complete. A revised accessibility plan in process.
Fire Station #1	Inspect for accessible parking (to include striping and signs) and entry (ramps, handrails, automatic door opener) to the building Inspect for correct slope on ramps	Complete
Bowie Park Nature Center and Outdoor Facilities	Inspect for accessible parking (to include striping and signs) and entry (ramps, handrails, automatic door opener) to the building Inspect for correct slope on ramps	Complete. Installed ADA accessible trail to outdoor classroom in 2019.
Planning / Public Works Building	Inspect for accessible parking (to include striping and signs) and entry (ramps, handrails, automatic door opener) to the building Inspect for correct slope on ramps	Complete

<p>History Village Triangle School</p>	<p>Inspect for accessible parking (to include striping and signs) and entry (ramps, handrails, automatic door opener) to the building</p> <p>Inspect for correct slope on ramps</p>	<p>Complete</p>
<p>Veteran's Lake Park</p>	<p>Inspect for accessible parking (to include striping and signs) and entry (ramps, handrails, automatic door opener) to the building</p> <p>Inspect for correct slope on ramps</p>	<p>In Process</p>
<p>Highway 100 (state route) existing sidewalks</p>	<p>Inspect and assess damage, and determine solution for repair(s)</p>	<p>Complete. All sections repaired in 2019.</p>
<p>City Center Boulevard Sidewalk Extension</p>	<p>Design sidewalk and install</p>	<p>In process. Will be completed in calendar year 2020.</p>
<p>City-owned Sidewalks and Crossings</p>	<p>Inspect for accessible ramps, correct slope, and service condition(s)</p>	<p>Ongoing maintenance</p>

The ADA transition plan will be updated on a yearly basis through self-evaluations and input from persons with suggestions. The City will also continue to improve sidewalks through our focused efforts on ADA serviceability and accessibility.