



## **ADA Title II - Notice and Grievance Procedure**

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The City of Florida City hereby adopts the revised internal grievance procedure to provide for prompt and equitable resolution of the complaint alleging any action that is prohibited by Title II of the Americans with Disabilities Act (hereinafter "ADA").

In the event a request for access to programs, services or facilities cannot be resolved, an individual may file a grievance by contacting the ADA Coordinator, City of Florida City, 404 West Palm Drive, Florida City, FL, (305) 242-8178. The City's ADA Coordinator is available to disabled persons requiring assistance to file. Florida City's communications regarding the grievance will be in a format accessible to the complainant.

### **Complaint Procedure**

The procedure to file a grievance is as follows:

**Step 1.** A written grievance should be filed on the [attached form](#). If the grievance is not filed on the City of Florida City ADA Grievance Form, it should nonetheless contain the following information:

- The name, address, and telephone number of the person filing the grievance.
- The name, address, and telephone number of the person alleging the ADA violation, if other than the person filing the complaint.
- A description of the alleged violation and the remedy sought. Information regarding whether a grievance has been filed with the Department of Justice or other agency. If a grievance has been filed, the name of the agency or court where the complaint was filed, the date the grievance was filed, and the name, address and telephone number of a contact person with the agency with which the complaint was filed.

**Step 2.** A verbal grievance can be filed by contacting the ADA Coordinator. The verbal grievance will be documented in writing by the ADA Coordinator utilizing the ADA Grievance Form and will be signed by the complainant.

**Step 3.** The grievance will be responded to within 20 working days of receipt of grievance from complainant.

**Step 4.** Within 60 calendar days of receipt, the ADA Coordinator will conduct the investigation necessary to determine the validity of the alleged violation. If appropriate, the ADA Coordinator will arrange to meet with the complainant to discuss the matter and attempt to reach, or mediate a resolution of the grievance. ADA Title II.

**Step 5.** If an informal resolution and mediation of the grievance is not reached, a written determination as to the validity of the complaint and description of the resolution, if appropriate, shall be issued by the Public Risk Manager or the City Attorney and a copy forwarded to the complainant no later than 90 days from the date of the City's receipt of the complaint.

**Step 6.** The complainant may request reconsideration if he/she is dissatisfied with the written determination. The request for reconsideration shall be in writing and filed with the City of Florida City Mayor's office, 404 West Palm Drive, Florida City, FL within 30 days after the ADA Coordinator's determination has been mailed to the complainant. The Mayor of the City of Florida City shall review the request for reconsideration and make a final determination within 90 days from the filing of the request for reconsideration.

**Step 7.** If the complainant is dissatisfied with City's handling of the grievance at any stage of the process or does not wish to file a grievance by utilizing the City's ADA Grievance Procedure, the complainant may file a grievance directly with the United States Department of Justice or other appropriate state or federal agency. Use of the City's grievance procedure is not a prerequisite to the pursuit of other remedies.

The resolution of any specific complaint will require consideration of varying circumstances, such as, the specific nature of the disability, the nature of the access to services, programs, or facilities at issue and the essential eligibility requirements for participation. Also, areas to consider would be the health and safety of others, the degree to which an accommodation would constitute a fundamental alteration to the program, service, or facility, or cause an undue hardship to the City. Accordingly, the resolution by the City of any one grievance does not constitute a precedent upon which the City is bound or upon which other complaining parties may rely.

#### **File Maintenance**

The City of Florida City ADA Coordinator shall maintain all ADA grievance files for a period of three years.