



*City of*  
**DAYTON**  
*Tennessee*

1. Purpose of ADA Self Evaluation and Transition Plan
2. ADA Transition Plan Review and Development
3. Facilities (Buildings)
  - a. Municipal Building
  - b. Utility Billing
  - c. Clyde Roddy Library
  - d. Children Services
  - e. RC3
  - f. Dayton Boat Dock
  - g. Electric And Water Department
  - h. Police Department
  - i. Dayton City School (Compliant)
  - j. Fire Station 1 and 2 (Compliant)
  - k. Chamber of Commerce (Compliant)
4. Sidewalk Infrastructure
5. Parks and Recreation Facilities
  - a. Parks
  - b. Walking Track

## **1. Introduction**

The Americans with Disabilities Act (ADA) is a civil rights law that mandates equal opportunity for individuals with disabilities. The ADA prohibits discrimination in access to jobs, public accommodations, government services, public transportation and telecommunications. The City of Dayton has undertaken a comprehensive re-evaluation of its policies, programs and facilities to determine the extent to which individuals with disabilities may be restricted in their access to City services, activities and facilities.

In 1995 the City of Dayton completed its initial ADA Self-Evaluation and Transition Plan. The following document seeks to update the 1995 plan. This update describes the process developed to complete the re-evaluation of Dayton's activities, provides policy and program recommendations and presents a Transition Plan Update for the modification of facilities, public rights-of-way and programs to ensure accessibility.

This document will guide the planning and implementation of necessary program and facility modifications over the next several years. The ADA Self-Evaluation and Transition Plan Update is significant in that it establishes the City's ongoing commitment to the development and maintenance of policies, programs and facilities that include all of its citizenry.

### **1.1 Federal Accessibility Requirements**

The development of a transition plan is a requirement of the federal regulations implementing the Rehabilitation ACT of 1973, which require all organizations receiving federal funds make their programs available without discrimination to persons with disabilities. The Act, which has become known as the "civil rights act" of persons with disabilities, states that: No otherwise qualified (disabled) individual in the United States shall, solely by reason of (disability), be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. (Section 504)

Subsequent to the enactment of the Rehabilitation Act, Congress passed the Americans with Disabilities Act on July 26, 1990. The Department of Justice's Title II regulation adopts the general prohibitions of discrimination established under Section 504 and incorporates specific prohibitions of discrimination for the ADA. Title II provides protection to individuals with disabilities that are at least equal to those provided by the nondiscrimination provisions of Title V of the Rehabilitation Act. This legislative

mandate, therefore, prohibits the City from, either directly or indirectly through contractual arrangements:

- Denying persons with disabilities the opportunity to participate in services, programs, or activities that are separate or different from those offered others, even if the City offers permissibly separate or different activities.

## **1.2 Title II Requirements**

The City of Dayton is obligated to observe all requirements of Title I in its employment practices; Title II in its policies, programs and services; any parts of Title IV and V that apply to the City and its programs, services or facilities; and all requirements specified in the Americans with Disabilities Act Access Guidelines of 2004 (ADAAG) that apply to facilities and other physical holdings.

Title II has the broadest impact on the City. A self-evaluation is required and intended to examine programs, activities and services, identify problems or physical barriers that may limit accessibility by the disabled and describe potential compliance solutions.

Included in Title II are administrative requirements for all government entities employing more than fifty (50) people. These administrative requirements are:

- Designation of a person who is responsible for overseeing Title II compliance;
- Development of an ADA compliant procedure;
- Completion of a self-evaluation; and
- Development of a transition plan if the self-evaluation identifies any structural modifications necessary for compliance. The transition plan must be retained for three years.

### **1.1.1 ADA Coordinator**

In 1995 the Former City manager designated the Human Resources Office as the ADA Coordinator. This position is responsible for ensuring that all programs, services and activities of the City of Dayton are accessible and useable by individuals with disabilities. The City's ADA Coordinator is:

Tammy C. Vicry  
City of Dayton  
339 First Avenue  
Dayton, TN 37321  
(423) 775-1818

To request an ADA accommodation or file an ADA grievance, contact the ADA Coordinator and follow the established procedures.

### **1.1.2 ADA Accommodation and Grievance**

#### **A. Requesting an ADA Accommodation or Barrier Removal**