



## TOWN OF NORTH WILKESBORO

Post Office Box 218  
North Wilkesboro, North Carolina 28659  
Bus. (336) 667-7129  
Fax (336) 838-1779

### TOWN OF NORTH WILKESBORO SECTION 504 ADA GRIEVANCE PROCEDURES

WHEREAS, the Town of North Wilkesboro, North Carolina, is committed to complying with the Americans with Disabilities Act; and

WHEREAS, the Town of North Wilkesboro recognizes the potential for complaints regarding compliance.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Town Council of North Wilkesboro, North Carolina, does adopt and will adhere to the following Town of North Wilkesboro ADA Grievance Procedure.

The Town of North Wilkesboro has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act. Title II states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination" in programs or activities sponsored by a public entity.

Complaints shall be addressed to the Town Codes Enforcement Officer at (336) 667-7129, ext, 231, who has been designated to coordinate ADA compliance efforts.

1. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violations of the regulations.
2. A complaint should be filed within thirty days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination which occurred before this procedure was in place will be considered on a case-by-case basis).
3. An investigation, as may be appropriate, shall follow a filing of complaint. The investigation shall be conducted by the Town Codes Enforcement Officer and a member of the Town Board. These rules assume informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

Under the Department of Justice regulations, the Town of North Wilkesboro need not process complaints from applications for employment or from applications for admission to post-secondary educational institutions.

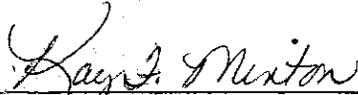
4. A written determination as to the validity of the complaint and a description of the Resolution, if any, shall be issued by the Town Codes Enforcement Officer and a copy forwarded to the complainant no later than thirty days after its filing.
5. The ADA coordinator shall maintain files and records of North Wilkesboro relating to complaints filed.
6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within thirty days to the members of the Town Board.
7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards, and to assure that the Town of North Wilkesboro complies with the ADA implementing regulations.

ADOPTED AND APPROVED this 6<sup>th</sup> day of February, 2001.

TOWN OF NORTH WILKESBORO

  
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Conley Call, MAYOR

ATTEST:

  
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Kay F. Minton, Town Clerk