

ARTICLE VII. - GRIEVANCE PROCEDURE FOR DISABLED

DIVISION 1. - GENERALLY

Sec. 2-351. - Initial grievance.

- (a) Disabled persons with complaints regarding access to or discrimination in city-run facilities, services, activities or programs should submit their complaint in writing to the city administrator. Forms will be provided by the city administrator's office for those who desire them.
- (b) Within ten working days of receipt of the complaint, a complainant will be given an opportunity to meet with the city administrator, or a member of his staff designated by him from time to time, to attempt to solve the complaint. A decision in writing by the city administrator will be rendered within ten working days of such meeting unless extraordinary circumstances exist, in which case a decision will be rendered within 30 days of this meeting.

(Code 1986, § 2-211)

Secs. 2-352—2-365. - Reserved.

DIVISION 2. - ACCESS REVIEW BOARD

FOOTNOTE(S):

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Cross reference— Boards and commissions, § 2-126 et seq.

Sec. 2-366. - Created; purpose.

An access review board is hereby created to hear appeals concerning complaints of lack of access for or discrimination against disabled persons in city-run facilities, services, activities or programs.

(Code 1986, § 2-212)

Sec. 2-367. - Membership.

- (a) The access review board shall consist of three members as follows:
 - (1) An alderman from the board of mayor and aldermen, to be appointed by the board of mayor and aldermen;
 - (2) The city Americans with Disabilities Act coordinator;
 - (3) A disabled resident of the city, to be appointed by the board of mayor and aldermen.
- (b) The mayor will designate one member of the board as its chair. The board will meet and organize to select a vice-chair and a secretary.

(Code 1986, § 2-213)

Sec. 2-368. - Terms of members.

With the exception of the city Americans with Disabilities Act coordinator, the terms of the members of the access review board shall be for one year and shall expire on December 31 of each year, or until their successors are appointed, provided that appointments made in 1992 shall be from date of appointment through December 31, 1992. Any member of the access review board may be removed at any time without cause by the board of mayor and aldermen. If vacancies are created, the board of mayor and aldermen shall appoint a replacement to fill the unexpired term.

(Code 1986, § 2-214)

Sec. 2-369. - Meetings.

Board meetings shall be held from time to time as necessary. A majority of the members shall constitute a quorum, and a quorum shall be required to transact board business. The board shall keep minutes of its proceedings showing the vote of each member upon each question, or if a member is absent or fails to vote, indicating such fact. Copies of these minutes shall be transmitted to the board of mayor and aldermen.

(Code 1986, § 2-215)

Sec. 2-370. - Responsibilities; procedure.

- (a) If a complainant is not satisfied with the decision of the city administrator, he may ask that the complaint be reviewed by the access review board. A written notice of appeal must be filed with the city administrator.
- (b) A complainant will be given an opportunity to meet with the access review board to resolve the complaint within five working days of the receipt of the complainant's written notice of appeal. The access review board and the complainant may consent to a hearing date later than the date provided for in this section. Failure of the complainant to appear at the hearing may result in dismissal of the appeal. A decision in writing by the access review board will be rendered within 15 days of this meeting. The decision of the access review board is the final step in this grievance procedure.

(Code 1986, § 2-216)

Sec. 2-371. - Other remedies.

Use of this grievance procedure is not a prerequisite to or a substitute for the pursuit of other remedies. Complainants interested in pursuing such remedies should contact the appropriate federal agency.

(Code 1986, § 2-217)

Secs. 2-372—2-385. - Reserved.