

**Board of Commissioners**

John Davis, Mayor  
Frank Tursi, Mayor Pro Tem  
Patricia Turner, Commissioner  
Harry Pugliese, Commissioner  
Larry Philpott, Commissioner  
Jeffrey Conaway, Commissioner



**Town Manager**  
Paula W. Webb, MMC-NCCMC  
[pwebb@ci.swansboro.nc.us](mailto:pwebb@ci.swansboro.nc.us)

**Town Clerk**  
Alissa Fender, CMC  
[afender@ci.swanboro.nc.us](mailto:afender@ci.swanboro.nc.us)

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# Town of Swansboro

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[www.swansboro-nc.org](http://www.swansboro-nc.org)

## AMERICANS WITH DISABILITIES ACT/SECTION 504 POLICY STATEMENT

The Town of Swansboro (hereinafter referred to as the town) prohibits discrimination on the basis of a disability with respect to all terms and conditions of employment and access to its activities, programs, and services. Any interference, coercion, restraint, retaliation, or reprisal of any person alleging disability discrimination is prohibited.

For the purposes of this policy, an individual with a disability is defined as any person who:

1. Has a physical or mental impairment that substantially limits one or more major life activities;
2. Has a record of such an impairment; or
3. Is regarded as having such impairment.

The town is committed to:

- Providing reasonable accommodation for an individual with a disability to participate in employment, activities, programs, and services and has established procedures to allow persons with a disability to request reasonable accommodation;
- Providing access to persons using its facilities, buildings, and town-maintained roads, sidewalks, and crosswalks; and
- Ensuring that communications with applicants, participants, beneficiaries, members of the public, and companions with disabilities are as effective as communications with others.

The town has an ADA Coordinator, Alissa Fender, who can answer ADA-related questions and handle reasonable accommodation requests as well as provide information on established procedures for filing a complaint alleging discrimination on the basis of a disability. The ADA Coordinator can be contacted at (910) 326-4428, through email at [afender@ci.swansboro.nc.us](mailto:afender@ci.swansboro.nc.us), or by regular mail at the mailing address: 601 W. Corbett Avenue, Swansboro NC 28584. Any questions or comments concerning this policy should be referred to the ADA Coordinator.

Mayor John Davis

Date

7/25/22



## Public Notice of ADA Requirements and Grievance Procedure

As required by the ADA, the town has posted the following notice outlining its responsibilities with regard to ADA compliance.

### Public Notice

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, the Town of Swansboro will not discriminate against qualified individuals based on disability in Town services, programs or activities.

*Employment:* The Town does not discriminate based on disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the Americans with Disabilities Act (ADA).

*Effective Communication:* The Town will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Town's programs, services and activities.

*Modifications to Policies and Procedures:* The Town will make all reasonable modifications to policies and procedures to ensure that people with disabilities have an equal opportunity to enjoy all Town programs, services and activities. For example, individuals with service animals are welcomed in Town offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a Town program, service or activity, should contact the office of the ADA Coordinator as soon as possible but no later than 48 hours before the scheduled event: Alissa Fender, Town Clerk, (910) 326-4428.

The ADA does not require the Town to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

The Town will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

## Complaint Process

The Town of Swansboro has developed an internal 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 the participation in, be denied the benefits of or be subjected to discrimination: in programs or activities sponsored by a public entity". Complaints should be addressed to: **Town Clerk, 601 W. Corbett Avenue Swansboro, NC 28584.**

A complaint should be filed verbally or in writing, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations. A complaint should be filed within 60 days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination, which occurred before this grievance procedure was in place, will be considered on a case-by-case basis).

An investigation, as may be appropriate, shall follow a filing of complaint. The investigation shall be coordinated by the ADA Coordinator who works with an internal technical staff to identify where local, state and/or federal laws might be in violation. This process is informal but provides a thorough investigation, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the ADA Coordinator and a copy forwarded to the complainant no later than 30 days after its filing. The ADA Coordinator shall maintain the files and records of the Town of Swansboro relating to the complaints filed.

The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. Since the ADA Coordinator works with both private and public businesses, the extent of the remedy may be limited depending on the complaint filed. The request for reconsideration should be made in writing within 30 days to the ADA Compliance Committee, which shall be appointed by the Town Manager. The Committee will conduct the initial review and determination. The Town Manager shall make the final decision.

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.

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 Swansboro complies with the ADA and implementing regulations.

### **ADA Title II Coordinator**

Name: Alissa Fender Job Title: Town Clerk

Office Address: 601 W. Corbett Avenue, Swansboro NC 28584

Phone: (910) 326-4428

**TDD Phone:** TBD

Fax: (910) 326-3101

E-mail: afender@ci.swansboro.nc.us

### **ADA Transition Plan Implementation Coordinator**

Name: Paula Webb Job Title: Town Manager

Office Address: 601 W. Corbett Avenue, Swansboro NC 28584

Phone: (910) 326-4428

**TDD Phone:** TBD

Fax: (910) 326-3101

E-mail: pwebb@ci.swansboro.nc.us