

CITY OF PELICAN BAY

RESOLUTION NO. 216

A RESOLUTION OF THE CITY OF PELICAN BAY, TEXAS, TARRANT COUNTY, STATE OF TEXAS, ADOPTING A SECTION 504 GRIEVANCE PROCEDURE

WHEREAS, City of Pelican Bay desires to develop a community that offers an opportunity for each business to obtain fair and equal treatment without regard to race, color, sex, religion, disability/handicap, familial status or national origin through fair, orderly and lawful procedures; and

WHEREAS, City of Pelican Bay recognizes that the denial of fair and equal opportunities based on race, color, sex, religion, disability/handicap, familial status or national origin is detrimental to the health, safety and welfare of the inhabitants of the City and constitutes an unjust denial or deprivation of such rights which is in the power and proper responsibility of government to prevent, now therefore

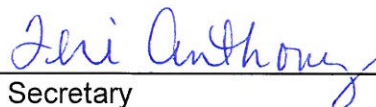
BE IT RESOLVED THAT THE FOLLOWING REGULATIONS ARE HEREBY ENACTED BY THE CITY OF PELICAN BAY CITY COUNCIL:

The City of Pelican Bay hereby adopts the attached Section 504 Grievance Procedures.

PASSED and adopted by the City Council of the City of Pelican Bay, Texas, on this the 4th day of September, 2014.

ATTEST:

APPROVED:



City Secretary



Mayor

Section 504 Grievance Procedure

The City of Pelican Bay has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by 31 CFR 51.55(d)(2) implementing Section 504 of the Rehabilitation Act of 1973 as amended (29 USC 794). Section 504 states, in part, that "No otherwise qualified handicapped individual shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. . . ."

Complaints should be addressed to: Ms. Teri Anthony, City Secretary, City of Pelican Bay, 1300 Pelican Circle, Azle, Texas 76020 (Telephone: 817-444-1234), who has been designated to coordinate Section 504 compliance efforts.

A complaint should be filed in writing or verbally, 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 ten (10) working days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination occurring before the 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 a complaint. The investigation will be conducted by Ms. Teri Anthony, City Secretary of the City of Pelican Bay. These rules contemplate informal but thorough investigations, 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 description of the resolution, if any, shall be issued by Ms. Teri Anthony and a copy forwarded to the complainant no later than ten (10) working days after the filing.

The Section 504 coordinator shall maintain the files and records of the City of Pelican Bay relating to the complaints file.

The complainant can request a reconsideration of the case in instances where he/she is dissatisfied with the resolution. The request for reconsideration should be made within ten (10) working days to the City of Pelican Bay.

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 a Section 504 complaint with the Office of Revenue Sharing, U. S. Department of the Treasury. Utilization 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 assure that the City of Pelican Bay complies with Section 504 and ORS regulations.