

TITLE 1

ADMINISTRATION AND PERSONNEL

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ADMINISTRATION AND PERSONNEL

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Chapter 1.08

DEPARTMENT OF REDEVELOPMENT

Sections:

1.08.010 Establishment

1.08.010 Establishment. A Department of Redevelopment is hereby established for the Town of Richland, Indiana, pursuant to the laws of the State of Indiana to be controlled by a board of five (5) members to be known as “The Town of Richland, Indiana Redevelopment Commission”, which shall be entitled to exercise all the rights, powers, privileges and immunities to such department by I.C. 36-7-14, as amended. (Ord. 2021-04, Sept. 1, 2021)

Chapter 1.11

TOWN CREDIT CARDS AND CHARGE ACCOUNTS

Sections:

1.11.010 Credit Card Issuance

1.11.020 Card and Account Use and Procedures

1.11.010 Credit Card Issuance.

- (1) The Clerk/Treasurer of the Town is hereby authorized to make application for business credit, charge accounts, and/or charge cards for the use by Town department heads and other employees (hereinafter “accounts”), and no other employee of the Town shall make application for or otherwise obtain any credit card, charge account or charge card in the name of the Town.
- (2) Business credit cards issued to the Town shall have a maximum credit limit of not more than fifteen hundred (\$1,500.00) dollars. (Ord. 2016-2, S1.11.010, Mar. 2, 2016)

1.11.020 Card and Account Use and Procedures.

- (1) When not in use, credit cards not issued and maintained to a Department Head shall be secured by and in the office of the Clerk/Treasurer.
- (2) Upon request by a Department Head or employee authorized by a Department Head, the Clerk/Treasurer shall issue an appropriate credit card to such Department Head or employee for use.
- (3) For all credit cards maintained by the Clerk/Treasurer, the Clerk/Treasurer shall maintain an accounting system or log recording the name of each individual to which a credit card is issued, the estimated amount to be charged by such person, Town fund and account numbers to be charged for each such expenditure(s), date the credit card is issued by the Clerk/Treasurer and date the credit card is returned to the Clerk/Treasurer.
- (4) For any and all credit cards delivered by the Clerk/Treasurer to a Department Head who retains possession of the credit card, the Department Head shall maintain the accounting system or log as required by paragraph (3) herein.

- (5) Charges made on any account shall be only for items which are authorized (and/or within the Department Heads spending limitation) and budgeted in the Town's then-current budget.
- (6) Within seventy-two (72) hours following any use of an account, the person using such account shall provide the original receipt to the Clerk/Treasurer or Department Head maintaining custody of the credit card.
- (7) No credit card or account issued in the name of the Town shall be used for private purchases. Any employee who fails to provide a receipt for a purchase shall personally be held liable to the Town for the full amount of such charge and shall be subject to discipline by the Town.
- (8) Credit cards and accounts shall not be used to bypass or avoid the accounting system of the Town, and charges to the credit cards and accounts shall be paid by the Clerk/Treasurer only on the basis of original receipts and from appropriate budgeted funds, accounts, line items pursuant to the claims procedures of the Town.
- (9) The Clerk/Treasurer shall pay the accounts promptly such that no interest-carrying charges or penalties shall be incurred due to late payments.
- (10) No credit card or account shall be used to obtain cash advances by an employee.
- (11) Any and all interest or late charges incurred on any accounts by the Town due to late submission of documentation by an employee of the Town shall be paid by the employee failing to provide information as required by this section, and any and all over-limit or other fees caused by the employee's charges in excess of the available account limits shall be paid by the employee causing such fees or charges, upon demand by the Town. (Ord. 2016-2, S1.11.020, Mar. 2, 2016)

Chapter 1.19

INTERNAL CONTROL STANDARDS

Sections:

- 1.19.005 Purpose**
- 1.19.010 Mission**
- 1.19.020 Objectives**
- 1.19.030 Minimum Level**
- 1.19.040 Principles**
- 1.19.050 Effective Internal Control Systems**
- 1.19.060 Design, Implementation, Operate, Modify, Reporting and Compliance Objectives**
- 1.19.070 Periodic Review**
- 1.19.080 Personnel Compliance**
- 1.19.090 Personnel Training**
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- 1.19.110 Town Council Management**
- 1.19.120 Implementation**
- 1.19.130 Failure to Abide or Cooperation by Employee**
- 1.19.140 Failure to Abide or Cooperate by Elected or Appointed Official**
- 1.19.150 Implementation Actions**

1.19.005 Purpose.

- (1) In 2015 the Indiana Legislature passed, and the Governor signed, P.L. 184-2015.
- (2) After June 30, 2016 and thereafter, IC 5-11-1-27(g) requires the town council ensure that the acceptable minimum level of internal control standards and internal control procedures for internal control systems of political subdivisions, developed by the State Board of Accounts and approved by the Audit and Financial Reporting Subcommittee of the Legislative Council established by IC 2-5-1.1-6.3, is adopted and that the appropriate personnel under IC 5-11-1-27(c) are trained upon such.
- (3) The minimum level of internal control standards and procedures of the town must include the following: (A) Control Environment (B) Risk Assessment (C) Control Activities (D) Information and Communication and (E) Monitoring.
 - A. The Control Environment refers to the demonstration of a commitment of the town to (a) integrity and ethical values, (b) oversight of the internal control system, (c) establishment of an

organization structure that oversees the operations, reporting and compliance of the objectives of the internal controls system, (d) attracting developing and retaining competent individuals and (e) evaluating performance and holding individuals responsible for internal control duties and responsibilities.

- B. The Risk Assessment refers to the process that identifies and assesses internal and external risks and establishes tolerances of the town sufficient to (a) enable the identification of risks and the amount of risks tolerated, (b) identify, analyze and respond to risks, (c) consider the potential for fraud in the risk assessment process and (d) identify, analyze and respond to significant changes impacting the internal control system.
 - C. The Control Activities refers to the town actions and tools established through policies and procedures that go towards the detection, prevention or the reduction of identified risks of loss while still providing government operations by (a) designing control activities, (b) designing information systems and (c) implementing policies.
 - D. The Information and Communication refers to the internal and external communication needed to support an internal controls system that is valued and used by (a) receiving quality information, (b) internally communicating quality information and (c) externally communicating quality information.
 - E. The Monitoring Activities refers to the activities of the town officials to see that all of the components of the internal control system that meet or exceed the standards herein are functioning properly by (a) establishing and operating monitoring activities and then evaluating them on an ongoing or periodic basis and (b) the timely remediation of deficiencies.
- (4) The municipal legislative body to ensure that these minimum standards and procedures are met or exceeded needs to adopt a policy that at least includes the requirements set forth in IC 5-11-1-27 and also the approved compliance guidelines of the State Board of Accounts dated September 2015 that is reasonable for the town of its size and the size of its government.
 - (5) The standards listed are considered in light of the operations objectives, the reporting objectives and the compliance objectives of the town in performing certainly its financial activities of governance but also the other governmental activities.

- (6) Because governments vary in size and complexity, there is no single method or set of internal control policies and procedures that is applicable.
- (7) After thoughtful consideration and in order to comply with IC 5-11-1-27 and the guidelines, the town believes it is in the best interests of its citizens to adopt as its policy the minimum requirements of IC 5-11-1-27 and implement it in the manner stated below. (Ord. 2016-04, Preamble, 2016)

1.19.010 Mission. The town finds that its mission as related to an internal control system is as follows:

- (1) Provision of a democratic governmental structure at the grassroots level.
- (2) Provision of services as determined through the political process including but not limited to its park.
- (3) Promotion of government efficiency, accountability, reliability and transparency.
- (4) Promotion of safeguards to reduce the risk of loss due to fraud, waste, abuse, mismanagement or errors. (Ord. 2016-04, S1, 2016)

1.19.020 Objectives. The town finds that its interrelated and often overlapping objectives as related to an internal control system are as follows:

- (1) Operations Objectives which involve the ways governmental services are performed and the performance of those providing governmental services including by way of example budgeting, purchasing, permitting, cash management and planning among others.
- (2) Reporting Objectives which involve the filing of financial and nonfinancial information to those inside the government and those outside of the government including by way of example filing the annual report, audit and examination cooperation, filing uniform conflict of interest forms and the other filings with any governmental agency or official or information required to be kept such as an OSHA log and responding to a public records request among others.
- (3) Compliance Objectives involve the adherence to law and regulations including by way of example following guidance documents such as the State Board of Accounts' manuals, bulletins, directives and the Department of Local Government Finance's forms and directions and including other outside of government trainings and documents such as IACT among others. (Ord. 2016-04, S2, 2016)

1.19.030 Minimum Level. The town adopts and directs the minimum level of internal control standards and internal control procedures for an internal control system that includes the following five standards to promote government accountability and transparency as described in the Uniform Internal Control Standards for Indiana Political Subdivisions guidance document from the State Board of Accounts dated September 2015 and as thereafter modified:

- (1) Control Environment
- (2) Risk Assessment
- (3) Control Activities
- (4) Information and Communication
- (5) Monitoring (Ord. 2016-04, S3, 2016)

1.19.040 Principles. The town adopts and directs the following principles in explanation of the pertinent standards above be followed at all levels of the town government:

- (1) Control environment
 - A. The oversight body and management demonstrate a commitment to integrity and ethical values.
 - B. The oversight body oversees the town's internal control system.
 - C. Management establishes an organizational structure, assigns responsibility and delegates authority to achieve the town's objectives.
 - D. Management demonstrates a commitment to attract, develop and retain competent individuals.
 - E. Management evaluates performance and holds individuals accountable for their internal control responsibilities.
- (2) Risk Assessment
 - A. Management defines objectives clearly to enable the identification of risks and defines risk tolerances.
 - B. Management identifies, analyzes and responds to risk related to achieving the defined objectives.

- C. Management considers the potential for fraud when identifying, analyzing and responding to risks.
 - D. Management identifies, analyzes and responds to significant changes that could impact the internal control system.
- (3) Control Activities
 - A. Management designs control activities to achieve objectives and respond to risks.
 - B. Management designs the town's information system and related control activities to achieve objectives and respond to risks.
 - C. Management implements control activities through policies.
- (4) Information and communication
 - A. Management uses quality information to achieve the town's objectives.
 - B. Management internally communicates the necessary quality information to achieve the town's objectives.
 - C. Management externally communicates the necessary quality information to achieve the town's objectives.
- (5) Monitoring
 - A. Management establishes and operates monitoring activities to monitor the internal control system and evaluate the results.
 - B. Management remediates identified internal control deficiencies on a timely basis. (Ord. 2016-04, S4, 2016)

1.19.050 Effective Internal Control Systems. The town adopts the internal control standards above so as to establish an effective internal control system for the town through its design, implementation and operation. (Ord. 2016-04, S5, 2016)

1.19.060 Design, Implementation, Operate, Modify, Reporting and Compliance Objectives. The town directs that the above standards be used to design, implement, operate and modify current operations, reporting and compliance objectives that will safeguard the assets of the town, promote reliability, accountability and transparency of financial and non-financial information and to assure compliance with laws and regulations for each office, department and personnel (as defined below) for an effective and reasonable internal control system of the town. (Ord. 2016-04, S6, 2016)

1.19.070 Periodic Review. The town authorizes the Town Council to review the current internal control system of the town and adopt a policy for the future internal control system to be effective after June 30, 2016, and perform an annual review, or more if determined necessary for compliance with this chapter. (Ord. 2016-04, S7, 2016)

1.19.080 Personnel Compliance. The personnel, whether an official or employee, of the town whose official duties include receiving, processing, depositing, disbursing, or otherwise having access to funds that belong to the federal government, state government, a political subdivision, or another governmental entity shall comply with these minimum internal control standards and procedures and any other policy regarding standards and procedures determined necessary by the town now and as modified in the future. (Ord. 2016-04, S8, 2016)

1.19.090 Personnel Training. The personnel of the town whose official duties include receiving, processing, depositing, disbursing, or otherwise having access to funds that belong to the federal government, state government, a political subdivision, or another governmental entity shall be trained at least once during a calendar year and annually thereafter, unless on leave status, on the minimum internal control standards and procedures and any other standards and procedures determined necessary by the town and shall cooperate with the town fiscal officer or designee so that the fiscal officer can timely certify to the State Board of Accounts that the training was received annually by the personnel as provided by law. (Ord. 2016-04, S9, 2016)

1.19.100 Personnel Determination. The town authorizes the Town Council to determine the position and person who are the personnel referred to in sections 1.19.080 and 1.19.090 above and notify such personnel. (Ord. 2016-04, S10, 2016)

1.19.110 Town Council Management. The Town Council will perform all the internal controls system activities/duties. The Town Council constitutes “management”. (Ord. 2016-04, S11, 2016)

1.19.120 Implementation. All elected and appointed officials and employees of the town are hereby directed to abide by and to cooperate fully in the implementation of the internal control system of the town. (Ord. 2016-04, S12, 2016)

1.19.130 Failure to Abide or Cooperation by Employee. An employee who fails to abide by or cooperate with the implementation, compliance and certifications connected with the Internal Control System commits a violation of and may result in the discipline, including termination, of the employee. (Ord. 2016-04, S13, 2016)

1.19.140 Failure to Abide or Cooperate by Elected or Appointed Official. An elected or appointed official of the town who fails to abide by or cooperate with the implementation and the mandated certifications of the Internal Control System may be subject to any action allowed by law. (Ord. 2016-04, S14, 2016)

1.19.150 Implementation Actions. This Chapter may be implemented by any and all of the following actions or such others as authorized by this Council:

- (1) posting a copy of this Chapter in its entirety in at least one of the locations in the town where it posts employer posters or other notices to its employees;
- (2) providing a copy of this Chapter to its employees and elected and appointed officials;
- (3) providing or posting a notice of the adoption of this Chapter; or
- (4) any such other action or actions that would communicate the policies established by this Chapter to its employees and elected and appointed officials. (Ord. 2016-04, S15, 2016)

Chapter 1.20

CONFLICT OF INTEREST AND NEPOTISM POLICY

Sections:

- 1.20.010 Compliance with Indiana Code**
- 1.20.020 Implementation of “Nepotism Policy” and “Contracting with a Unit by a Relative Policy”**
- 1.20.030 Effective date of “Nepotism Policy” and Indiana Code Provisions**
- 1.20.040 Effective date of “Contracting with a Unit by a Relative Policy”**
- 1.20.050 More Stringent or Detailed Requirements**
- 1.20.060 Single Member cannot act for the Legislative Body**
- 1.20.070 Single Member cannot act for the Governing Body**
- 1.20.080 Full Cooperation with Implementation**
- 1.20.090 Subject to Action for Failure to Abide with Nepotism Policy**
- 1.20.100 Violation may Result in Further Action**
- 1.20.110 Actions to Ensure Implementation**
- 1.20.120 IC 36-1-20.2 and IC 36-1-21 Annexed hereto**
- 1.20.130 Public Inspection**

1.20.010 Compliance with Indiana Code. The town finds that it is necessary and desirous to adopt a policy of conduct with regard to nepotism in the employment with the town and in contracting with the town in order to continue to be able to provide local government services to its residents and to comply with the new laws effective July 1, 2012 known as IC 36-1-20.2 and IC 36-1-21, respectively. (Ord. 2012-01, S1, June 13, 2012)

1.20.020 Implementation of “Nepotism Policy” and “Contracting with a Unit by a Relative Policy”. On July 1, 2012 the town shall have a Nepotism and a Contracting with a Unit policy that complies with the minimum requirements of IC 36-1-20.2 (hereinafter “Nepotism Policy”) and IC 36-1-21 (hereinafter “Contracting with a Unit by a Relative Policy”) and implementation will begin. (Ord. 2012-01, S2, June 13, 2012)

1.20.030 Effective date of “Nepotism Policy” and Indiana Code Provisions. The town Nepotism Policy is hereby established effective July 1, 2012 by adopting the minimum requirements provisions of IC 36-1-20.2, and including all future supplements and amendments thereto which become law from time to time, and making them a part hereof as if fully set out herein. In addition a copy of IC 36-1-20.2 Nepotism in effect on July 1 is attached hereto. (Ord. 2012-01, S3, June 13, 2012)

1.20.040 Effective date of “Contracting with a Unit by a Relative Policy”. The town Contracting with a Unit by a Relative Policy is hereby established effective July 1, 2012 by adopting the minimum requirements provisions of IC 36-1-21, and including all future supplements and amendments thereto which become law from time to time, and making

them a part hereof as if fully set out herein. In addition a copy of the IC 36-1-21 Nepotism in effect on July 1 is attached hereto. (Ord. 2012-01, S4, June 13, 2012)

1.20.050 More Stringent or Detailed Requirements. The town finds that both IC 36-1-20.2 and IC 36-1-21 specifically allow a unit to adopt requirements that are “more stringent or detailed” and that more detailed are necessary. (Ord. 2012-01, S5, June 13, 2012)

1.20.060 Single Member cannot act for the Legislative Body. The town further finds that a single member of the legislative body cannot act for the body to make work assignments, compensation, grievances, advancement or a performance evaluation without prior authority of a majority of the body to and therefore without such authority by the majority he/she will not be in the direct line of supervision. See, [IC 36-4-6-11] [IC 36-5-2-9.4]. (Ord. 2012-01, S6, June 13, 2012)

1.20.070 Single Member cannot act for the Governing Body. The town finds that a single member of governing bodies with authority over employees in the town cannot act for the governing body to make work assignments, compensation, grievances, advancement or a performance evaluation without prior authority of a majority of the body, when a statute provides that a majority is needed to act, and therefore, without such authority by the majority the single member will not be in the direct line of supervision. (Ord. 2012-01, S7, June 13, 2012)

1.20.080 Full Cooperation with Implementation. All elected and appointed officials and employees of the town are hereby directed to cooperate fully in the implementation of the policies created by this Chapter and demonstrating compliance with these same policies. (Ord. 2012-01, S8, June 13, 2012)

1.20.090 Subject to Action for Failure to Abide with Nepotism Policy. Failure to abide by or cooperate with the implementation, compliance and certifications connected with the Nepotism Policy is a violation and may result in the discipline, including termination, of an employee or a transfer from the direct line of supervision or other curative action. An elected or appointed official of the town who fails to abide by or cooperate with the implementation, with the compliance and with mandated certifications of the Nepotism Policy may be subject to action allowed by law. (Ord. 2012-01, S9, June 13, 2012)

1.20.100 Violation may Result in Further Action. Failure to abide by or cooperate with the implementation, compliance and certifications connected with the Contracting with Unit by a Relative Policy is a violation and may result in the discipline, including termination, of an employee or curative action. An elected or appointed official of the town who fails to abide by or cooperate with the implementation, with the compliance and with mandated certifications of the Contracting with Unit by a Relative Policy may be subject to action allowed by law. (Ord. 2012-01, S10, June 13, 2012)

1.20.110 Actions to Ensure Implementation. The policies created by this Chapter are hereby directed to be implemented by any of the following actions:

- (1) posting a copy of this Chapter in its entirety in at least one of the locations in the town where it posts employer posters or other notices to its employees
- (2) providing a copy of this Chapter to its employees and elected and appointed officials
- (3) providing or posting a notice of the adoption of this Chapter
- (4) any such other action or actions that would communicate the policies established by this Chapter to its employees and elected and appointed officials. Upon the taking of any of these actions the policies are deemed implemented by the town. (Ord. 2012-01, S11, June 13, 2012)

1.20.120 IC 36-1-20.2 and IC 36-1-21 Annexed hereto. A copy of the provision of IC 36-1-20.2 and IC 36-1-21 effective July 1, 2012 are annexed hereto. (Ord. 2012-01, S12, June 13, 2012)

1.20.130 Public Inspection. Two (2) copies of IC 36-1-20.2 and IC 36-1-21, and as supplemented or amended, are on file in the office of the Clerk or Clerk-Treasurer for the town for public inspection as maybe required by IC 36-1-5-4. (Ord. 2012-01, S13, June 13, 2012)

Chapter 1.29

PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT

Sections:

- 1.29.010 Federal Funds**
- 1.29.020 U.S. Equal Opportunity Commission**
- 1.29.030 Adoption**
- 1.29.040 Employment**
- 1.29.050 Effective Communication**
- 1.29.060 Modifications to Policies and Procedures**
- 1.29.070 Auxiliary Aid or Service**
- 1.29.080 ADA does not require**
- 1.29.090 Complaints**

1.29.010 Federal Funds.

- (1) The Town of Richland receives Federal Funds for many uses and projects.
- (2) The receipt of such funds requires compliance with Federal laws and policies.
(Res. 2020-06, Oct. 14, 2020)

1.29.020 U.S. Equal Opportunity Commission. It is the wish of the U.S. Equal Employment Opportunity Commission that Municipal entities such as Town of Richland formally enact and adopt policies and procedures demonstrating compliance with the Americans with Disabilities Act (ADA). (Res. 2020-06, Oct. 14, 2020)

1.29.030 Adoption.

- (1) The Town of Richland, by the Town Council, wishes to formally adopt and implement the following policy and procedures for the benefit of all Town of Richland Citizens.
- (2) The Town of Richland adopts the 2010 Americans with Disabilities Act Standards for Accessible Design and the 2005 Guidelines for Accessible Public Rights. In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Richland, Indiana will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. (Res. 2020-06, Oct. 14, 2020)

1.29.040 Employment. The Town of Richland Indiana does not discriminate on the basis of 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 ADA. (Res. 2020-06, Oct. 14, 2020)

1.29.050 Effective Communication. The Town of Richland Indiana 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 of Richland's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments. (Res. 2020-06, Oct. 14, 2020)

1.29.060 Modifications to Policies and Procedures. The Town of Richland will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in Town of Richland offices, even where pets are generally prohibited. (Res. 2020-06, Oct. 14, 2020)

1.29.70 Auxiliary Aid or Service. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the Town of Richland should contact the Clerk-Treasurer at the office of the Town of Richland, 812-660-2463, as soon as possible but no later than 48 hours before the scheduled event. (Res. 2020-06, Oct. 14, 2020)

1.29.080 ADA does not require. The ADA does not require the Town of Richland to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden. (Res. 2020-06, Oct. 14, 2020)

1.29.090 Complaints. Complaints that a program, service, or activity of the Town of Richland is not accessible to persons with disabilities should be directed to the Clerk-Treasurer at the office of Town of Richland, 812-660-2463. The Town of Richland 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.

- (1) This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Town of Richland. The Town of Richland's Personnel Policy governs employment-related complaints of disability discrimination.
- (2) The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of

filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

- (3) The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Town of Richland
PO Box 126
Richland, IN 47634

- (4) Within 15 calendar days after receipt of the complaint, the Council President or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the Council President or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town of Richland and offer options for substantive resolution of the complaint.
- (5) If the response by the Council President or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the ADA Coordinator or his/her designee.
- (6) Within 15 calendar days after receipt of the appeal, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the ADA Coordinator or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
- (7) All written complaints received by the Council President or his/her designee, appeals to the Town of Richland Council or his/her designee, and responses from these two offices will be retained by the Town of Richland for at least three years. (Res. 2020-06, Oct. 14, 2020)

Chapter 1.30

ADA GRIEVANCE PROCEDURE

Sections:

1.30.010 Complaints

1.30.020 Notice of Nondiscrimination

1.30.030 Title VI Implementation Plan

1.30.040 Transition Plan For Public Rights-of-way

1.30.010 Complaints.

- (1) Americans with Disabilities Act Grievance Procedure. This grievance procedure is established to meet the requirements of the ADA. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Town of Richland.
- (2) The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number, email address of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.
- (3) The complaint should be submitted as soon as possible, preferably within 60 calendar days of the alleged violation to:

ADA Coordinator
PO Box 126
Richland, IN 47634
(812) 660-0550
adacoordinatorrichland@gmail.com
- (4) Within 15 calendar days after receipt of the complaint, ADA Coordinator will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, ADA Coordinator will respond in writing, and where appropriate, in format that is accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town of Richland and offer options for substantive resolution of the complaint.
- (5) If the response by ADA Coordinator does not satisfactorily resolve the issue, the complainant may appeal the decision within 15 calendar days after receipt of the response to the Town of Richland Clerk/Treasurer or designee.

- (6) Within 15 calendar days after receipt of the appeal, the Town of Richland Clerk/Treasurer or designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Town of Richland Clerk/Treasurer or designee will respond in writing, and, where appropriate, in a format that is accessible to the complainant, with a final resolution of the complaint. (Ord. 2020-06, Oct. 14, 2020)

1.30.020 Notice of Nondiscrimination.

- (1) In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (“ADA”), the Town of Richland will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.
- (2) Employment: The Town of Richland does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I ADA.
- (3) Effective Communication: The Town of Richland 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 of Richland programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.
- (4) Modifications to Policies and Procedures: The Town of Richland will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the Town of Richland offices, even where pets are generally prohibited.
- (5) Anyone who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in a program, service, or activity of the Town of Richland, should contact ADA/Title VI Coordinator, PO Box 126, Richland, IN, 47634 or by calling 812-660-0550, as soon as possible but no later than 48 hours before the scheduled event.
- (6) The ADA does not require the Town of Richland to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

- (7) Complaints that a program, service, or activity of the Town of Richland is not accessible to persons with disabilities should be directed to ADA Coordinator.
- (8) The Town of Richland 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. (Ord. 2020-06, Oct. 14, 2020)

1.30.030

TOWN OF RICHLAND, INDIANA

TITLE VI IMPLEMENTATION PLAN



(Ord. 2020-06, Oct. 14, 2020)

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INTRODUCTION

This Title VI Implementation Plan is a part of the Town of Richland continual and ongoing effort to proactively meet and exceed the minimum compliance requirements established under Title VI of the Civil Rights Act of 1964 (Title VI), 49 CFR § 26, and the related anti-discrimination statutes and regulations. With this Implementation Plan, Town of Richland seeks to provide continued transparency, clarity and technical guidance for internal and external constituents regarding its Title VI program.

TOWN OF RICHLAND TITLE VI NON-DISCRIMINATION NOTICE & POLICY

Town of Richland values each individual's civil rights and wishes to provide equal opportunity and equitable service for the citizens of this state. As a recipient of federal funds, Town of Richland conforms to Title VI and all related statutes, regulations, and directives, which provide that no person shall be excluded from participation in, denied benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance from Town of Richland on the grounds of race, color, age, sex, sexual orientation, gender identity, disability, national origin, religion, income status or limited English proficiency. Town of Richland further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, regardless of whether those programs and activities are federally funded.

It is the policy of Town of Richland to comply with Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e; Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. §§ 4601-4655; 1973 Federal Aid Highway Act, 23 U.S.C. § 324; Title IX of the Education Amendments of 1972, Pub. L. No. 92-318, 86 Stat. 235; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §§ 701 *et seq*; Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28; Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 *et seq.*; Title VIII of the Civil Rights Act 1968, 42 U.S.C. §§ 3601-3631; Exec. Order No. 12898, 59 Fed. Reg. 7629 (1994) (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations); and Exec. Order No. 13166, 65 Fed. Reg. 50121 (2000) (Improving Access to Services for Persons with Limited English Proficiency).

The Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28, broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of federal-aid recipients, subrecipients and contractors/consultants, regardless of whether such programs and activities are federally assisted.

Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112, 87 Stat. 355, Town of Richland hereby gives assurance that no qualified disabled person shall, solely

by reason of disability, be excluded from participation in, be denied the benefits of or otherwise be subjected to discrimination, including discrimination in employment, under any program or activity that receives or benefits from this federal financial assistance.

Town of Richland also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies and activities on minority and low-income populations. In addition, Town of Richland will take reasonable steps to provide meaningful access to services for persons with limited English proficiency (LEP). Town of Richland will, where necessary and appropriate, revise, update and incorporate nondiscrimination requirements into appropriate manuals, directives and regulations.

Whenever Town of Richland distributes federal-aid funds to a second-tier subrecipient, Town of Richland will include Title VI language in all written agreements.

The following individual has been identified as Town of Richland 's Title VI and ADA Coordinator and is responsible for initiating and monitoring Title VI activities, preparing reports and performing other responsibilities, as required by 23 C.F.R. § 200 and 49 C.F.R. § 21.

Cindy Sarver
Title VI / ADA Program Manager
5818 W Lincoln St
Richland, IN 47634
adacoordinatorrichland@gmail.com

Town of Richland affirms its commitment to nondiscrimination annually by publishing its Annual Title VI Implementation Plan and reaffirming its Assurances of Nondiscrimination, incorporated herein (see next page).

TITLE VI ASSURANCES & IMPLEMENTATION

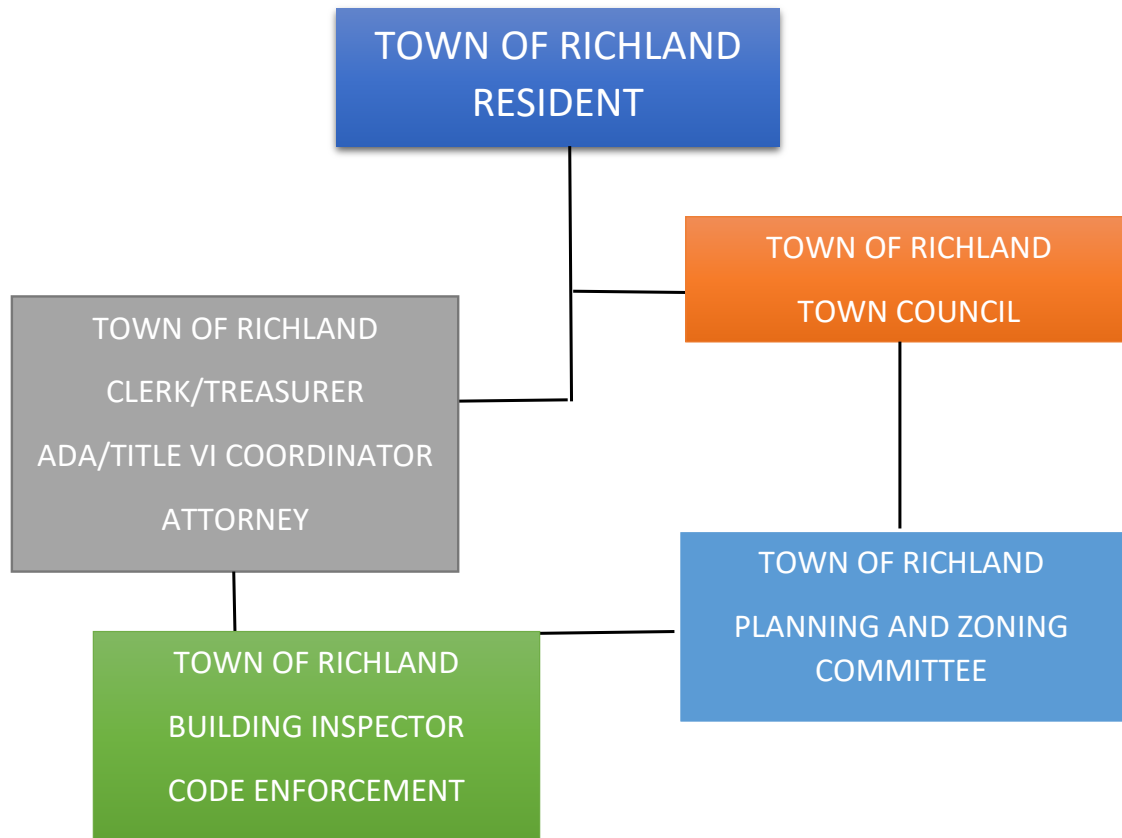
Fully executed **(Signed)** Assurances are included in Appendix A and integrated into this document. This Title VI Implementation Plan has been adopted, implemented and is being adhered to by Town of Richland. Town of Richland has implemented this plan by Resolution and it is effective for year 2020-2021 plan year. This plan will be renewed on or before July 8, 2021.

Signed by: _____
Dan Kincaid, President of Town Council

Date: _____

The individual above is a duly authorized representative of Town of Richland.

TOWN OF RICHLAND ORGANIZATION AND STAFFING



Town of Richland Clerk/Treasurer	812-660-2463
ADA/Title VI Coordinator	812-660-0550
Town of Richland Code Enforcement	812-660-2464
Town of Richland Attorney	812-937-2458

TOWN OF RICHLAND OVERVIEW OF TITLE VI PROGRAM: DATA COLLECTION, ANALYSIS & REPORTING

The type of data collected is dependent on the program area's objective. Town of Richland collects various types of data to ensure compliance with Title VI. Some information is collected for a period of time with the objective of determining what data needs to be collected.

The following types of data are currently being collected by Town of Richland:

- Complaints received, logged, processed and investigated by Town of Richland
- Environmental Justice analysis and reports
- Limited English Proficiency reports
- Title VI Training
- Public Involvement Survey
- Records of meeting minutes and discussions related to Title VI in all program areas.
- Town of Richland collects data related to specific program areas being reviewed this year for disparate / disproportionate impacts or other evidence of potential discrimination or discriminatory outcomes.

COMPLAINTS OF DISCRIMINATION

HOW TO FILE A COMPLAINT?

While a Complainant may preliminarily submit his or her complaint by online form submission, mail, facsimile, or email to the Title VI Coordinator, a signed, original copy of the complaint must be mailed to the Title VI Coordinator to officially begin the complaint process. Any person with a disability may request to file his or her complaint using an alternative format. Town of Richland does not require a Complainant to use the Town of Richland complaint form when submitting his or her complaint.

Direct all complaints of discrimination pursuant to Title VI to:

Cindy Sarver, Title VI Coordinator
5818 W Lincoln St
Richland, IN 47634
adacoordinatorrichland@gmail.com
812-660-0550

ELEMENTS OF A COMPLETE COMPLAINT

A complaint must be both written and signed to be complete. Verbal complaints must be reduced to writing and provided to the Complainant for confirmation, review and signature before processing. The complaint form is available for download from the Town of Richland website at: townofrichland.com

Additionally, a complaint must include the following information:

- The full name and address of the Complainant;
- The full name and address of the Respondent, the individual, agency, department or program that allegedly discriminated against Complainant; and
- A description of the alleged discriminatory act(s) that violated Title VI (i.e., an act of intentional discrimination or one that has the effect of discriminating on the basis of race, color, national origin, sex, age or disability) and the date of occurrence.

PROCESSING COMPLAINTS

The Title VI Coordinator will process all complaints. The Title VI Coordinator is responsible for:

- The Title VI Coordinator will review the complaint upon receipt to ensure that all required information is provided, the complaint meets the filing deadline date which is 180 days from the date the alleged discriminatory act occurred, and falls within the jurisdiction of the Town.
- The Title VI Coordinator will then investigate the complaint. If the complaint is against the Town then the Clerk's office or their designee will investigate the complaint. Additionally, a copy of the complaint will be forwarded to the Town Attorney.
- If the complaint warrants a full investigation, the Complainant will be notified in writing by certified mail. This notice will name the investigator and/or investigating agency.
- The party alleged to have acted in a discriminatory manner will also be notified by certified mail as of the complaint. This letter will also include the investigator's name and will request that this party be available for an interview.
- Any comments or recommendations from legal counsel will be reviewed by the Title VI Coordinator, Town Council and Clerk's office.
- Once the Town has investigated the report findings, the Town will adopt a final resolution.
- All parties associated with the complaint will be properly notified of the outcome of the Town's investigative report.

If the complainant is not satisfied with the results of the investigation of the alleged discriminatory practice(s), she/he shall be advised of their right to appeal the Town's decision.

- Appeals must be filed within 180 days after the Town’s final resolution. Unless new facts not previously considered come to light, reconsideration of the Town’s determination will not be available.
- The foregoing complaint resolution procedure will be implemented in accordance with the Department of Justice guidance manual entitled “Investigation Procedures Manual for the Investigation and Resolution of Complaints Alleging Violations of Title VI and Other Nondiscrimination Statutes,” available online at:
<http://www.justice.gov/crt/about/cor/Pubs/manuals/complain.pdf>

ENVIRONMENTAL JUSTICE ANALYSIS & REPORTS

In accordance with Title VI of the Civil Rights Act of 1964, each Federal agency shall ensure that all programs or activities receiving Federal financial assistance that affect human health or the environment do not directly, or through other arrangements, use criteria, methods, or practices that discriminate on the basis of race, color, or national origin. Part of Title VI reads, “No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.”

The three fundamental environmental justice (EJ) principles are:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations;
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process; and
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority populations and low-income populations.

Town of Richland is committed to these three environmental justice principles in all work that the Town performs.

LIMITED ENGLISH PROFICIENCY (LEP) POLICY

On August 11, 2000, the President signed an executive order, Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency (LEP), to clarify Title VI of the Civil Rights Act of 1964. It has as its purpose, to ensure meaningful access to programs and services to otherwise eligible persons who are not proficient in the English language. In addition, The US Department of Transportation published Policy Guidance Concerning Recipients’

responsibilities to Limited English Proficient Person in the December 14, 2005 Federal Register. This guidance outlines the following four factors that the Town uses to access the LEP populations in Town of Richland.

1. The number and proportion of LEP persons eligible to be served or likely to be encountered by the Town.
2. The frequency with which LEP individuals come into contact with the program, activity or service.
3. The nature and importance of the program, activity, or service provided by the program.
4. The resources available to the Town and costs.

In addition, Town of Richland **[has / has not]** implemented the safe harbor provision whereby it identifies and translate all vital documents into any language where the 5% threshold is met whereby 5% or more of the population in the county both:

- Does not speak English very well AND
- Primarily speaks another specific language as identified in current census data or other publically available records.

SUMMARY OF THE FOUR FACTOR ANALYSIS

Factor 1:

The number and proportion of LEP persons eligible to be served or likely to be encountered by the City can only be estimated until the actual number of persons who can speak English less than “very well” are documented as needing assistance by City Staff . With this Title VI Plan being in early development stages and considered a document that may need regular updates, US Census Bureau information is being used at this time. The total population is provided below to shown general distribution of race and ethnicity in the community. The estimated number of persons that may not speak English “very well” is following in the US Census Bureau 2006-2010 American Community Survey.

The U.S. Census Bureau provides statistics from 2020 for the Town of Richland as follows:

Total population = 397

Population by Ethnicity: (enter #)

Hispanic or Latino = (enter #) Non-Hispanic or Latino = (enter #)

Population by Race: (enter #)

White = 99.09%, African American = 0.68%, Asian= 0%, American Indian or Alaska Native = .23%, Native Hawaiian and Pacific Islander = 0%, Other = 0%, Identified by two or more = 0%.

The US Census Bureau 2017 American Community Survey 5-Year Estimates under SELECTED SOCIAL CHARACTERISTICS estimates the number of people in Town of Richland who speak a language other than English to be 12 with those speaking English less than “very well” estimated at .75%.

According to the census numbers above there may be up to 12 individuals who live in the Town of Richland that may be considered as LEP. Based on actual contact between Town Staff and the community there have been very few requests from anyone in the service area asking the Town to provide language translation services. Therefore, the LEP population is probably even less than the estimate shown above.

Factor 2: The frequency with which LEP individuals come into contact with the program, activity or service:

Due to the infrequent requests for translation services, there appears to be a minimal need for translation services from the Town. This may be attributed to the high percentage of younger people (25.3% for ages up to 17) who are available as family members for translation services.

Factor 3: The nature and importance of the program, activity, or service provided by the program:

If at any time a LEP individual requests translation services that are considered important such that denial or delay of access or services or information could have serious or even life-threatening implications, the Town will provide, upon request, services to assist the LEP population including translation of vital Town documents and interpretation services.

Factor 4: The resources available to the Town and costs:

There are various sites that offer interpretation and translation services, such as, <https://www.atanet.org> the Town of Richland will utilize.

SUMMARY OF LEP ACCOMMODATION PLAN

- The Town of Richland strives to serve its population to the best of its ability and will provide upon request, services to assist the LEP population including translation of vital documents and interpretation services deemed necessary to provide meaningful access to Town services.
- A U.S. Census Bureau I Speak card is available as part of this document. This card allows LEP individuals to communicate their preferred language to Town Staff whereas Town Staff may then access a translation service as determined by the Town.

- The Town of Richland utilizes a voluntary public involvement survey to collect information regarding persons affected by proposed projects. The survey permits respondents to remain anonymous, while voluntarily answering questions regarding their gender, ethnicity, race, age, sex, disability status, and household income. Once the survey data has been collected, it will be reviewed and then the survey will be placed in a file for future reference. In the case enough surveys are collected over time to show a significant increase in LEP populations, the Town may consider changes to their LEP policy. Completed surveys shall be retained for a period of three years from the date of the meeting and/or completion of the related project, if applicable.
- The Town reviews written Title VI complaints and ensures every effort is made to resolve complaints informally at the local or regional level and review and update the Town's Title VI plan and procedures as required.
- Staff for the Town will be provided training on the requirements for providing meaningful access to services for LEP persons and new employees will receive the same training.

TITLE VI TRAINING

EMPLOYER/EMPLOYEE DISSEMINATION & TRAINING

At the time of Hire (and annually to all employees if applicable): Title VI policy education and literature will be provided to all Town of Richland employees. Town of Richland employees will be required to sign an acknowledgement of receipt indicating they have received and reviewed Title VI policy guidelines. New employees will be provided with education and literature at new employee orientation. Employees will be provided with updated education and literature as Town of Richland deems necessary.

Ongoing Training provided to current employees: Current employees will receive training as new educational and materials are available. Training may consist of webinars, videos and educational documents as they become available.

Examples of training may include: **Understanding and abiding by the Title VI of the Civil Rights Act** <https://www.youtube.com/watch?v=Iw0mefqIZ5Y>

Employees will be expected to follow the Title VI policy and the guidelines set forth. In addition, Town of Richland employees should make every effort to alleviate any barriers to service or public use that would restrict public access or usage, take prompt and reasonable

action to avoid or minimize discrimination incidences and immediately notify the Title VI Coordinator, in writing, of any questions, complaints or allegations of discrimination.

PUBLIC INVOLVEMENT

DATA COLLECTION

Pursuant to 23 CFR 200.9(b) (4), Town of Richland shall collect and analyze statistical information regarding demographics to assist in monitoring and ensuring nondiscrimination in all of its programs and activities.

Town of Richland shall utilize a voluntary Title VI public involvement survey that will be available at all public hearings and meetings. The survey will allow respondents to remain anonymous. The survey will ask questions regarding the respondent's gender, ethnicity, race, age, income and if they are disabled. The facilitator of the public hearings and meetings will make an announcement at the beginning of the meeting informing attendees of the survey and its purpose and a request will be made for the attendees to complete the voluntary survey.

Completed surveys will be retained by the Title VI Coordinator for three (3) years.

The Title VI Coordinator will also collect and report statistical data for the past three (3) years as it relates to the number of federally funded projects, complaints filed and the results of those complaints, any requests for language services, demographic statistics and department compliance reviews.

COMMUNITY INVOLVEMENT & OUTREACH

Town of Richland is committed to ensuring that community involvement and outreach is done in a respectful and appropriate manner that will allow for diverse involvement. Public meetings, programs and activities will provide equitable opportunities for participation.

The Town of Richland host meetings monthly and those meetings are open to the public. Any meetings that are open to the public are published on Town of Richland website's main page. All Town of Richland public meetings are held in locations accessible to individuals with disabilities. Upon request, translators can be provided free of charge to those individuals with limited English proficiency. Auxiliary aids are also available upon request. Requests must be made within forty-eight (48) hours in advance.

Also published on the Town of Richland website are various meeting agenda's, meeting minutes, notices, events and news. Some departments within Town of Richland utilize signage, media and social media websites as another avenue to communicate with the community.

REVIEW OF PROGRAM AREA

This section outlines annual goals set forth by Town of Richland to comply with Title VI requirements and statutes. This list will be monitored for updates and additions.

ANNUAL WORK PLAN

Accomplishments	Completion Date
Develop Title VI Program and LEP Plan	July 8, 2020
Develop and implement complaint procedure	July 8, 2020
Create an external Discrimination Complaint Form	July 8, 2020
Create Title VI Voluntary Public Involvement Survey	July 8, 2020
Create an employee training log	July 8, 2020
Create complaint form/log	July 8, 2020
Create Title VI Compliance Checklist Form	July 8, 2020

Goals	Target Completion Date
Place Title VI Policy Statement, Public Notice, Complaint Procedures and Complaint Form on Town's Website	By year end 2020
Improve the data collection process to receive information	By year end 2020
Meet with ADA/Title VI Coordinator for updated training and assessments.	February 2021
Evaluate The Town's self-evaluation plan with the ADA/Title VI Coordinator	February 2021

APPENDIX

- A. Assurances
- B. Complaint Policy
- C. Complaint Log
- D. External Complaint Procedure/Form
- E. Public Involvement Survey
- F. I Speak Cards
- G. Employee Acknowledgement Form

APPENDIX A: ASSURANCES

Title VI Assurances

The Town of Richland (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation and the Federal Highway Administration, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations (CFR), Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures (hereinafter referred to as the Regulations) and other pertinent nondiscrimination authorities and directives, to the end that in accordance with the Act, Regulations, and other pertinent nondiscrimination authorities and directives, no person in the United States shall, on the grounds of religion, race color, or national origin, sex (23 USC 324), sexual orientation, gender identity (Executive Order 13672), age (42 USC 6101), disability/handicap (29 USC 790) and low income (Executive Order 12898) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by Title 49 Code of Federal Regulations, subsection 21.7(a)(1) and Title 23 Code of Federal Regulations, section 200.9(a) (1) of the Regulations, copies of which are attached.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal Aid Highway Program.

1. That the Recipient agrees that each "program" and each "facility as defined in 49 CFR subsections 21.23(e) and (b) and 23 CFR 200.5(k) and (g) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federal-Aid Highway Programs and, in adapted form in all proposals for negotiated agreements:

The Indiana Department of Transportation (INDOT), in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes, issued pursuant to such Acts, hereby notifies all bidders that it will affirmatively insure that in any contact entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income in consideration for an award.
3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Acts and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, 'as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal-Aid Highway Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal-Aid Highway Program.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient Department of Transportation under the Federal-Aid Highway Program and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal-Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient

Town of Richland Council

Dan Kincaid, President

Date

Anne Decker, Vice President

Nathan Jones, Board Member

Chad Schneider, Board Member

Ellen Sarver, Board Member

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

- (1) **Compliance with Regulations:** The contractor shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, and the Federal Highway Administration (hereinafter "FHWA") Title 23, Code of Federal Regulations, Part 200 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income in the selection and retention of sub-contractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR, section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income.
- (4) **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Indiana Department of Transportation (INDOT) or the FHWA to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to INDOT or the FHWA as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, INDOT shall impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
 - (a.) withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (b.) cancellation, termination or suspension of the contract, in whole or in part.
- (6) **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The contractor shall take such action with respect to any subcontract or procurement as INDOT or the FHWA may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Indiana Department of Transportation to enter into such litigation to protect the interests of the Indiana Department of Transportation and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX B

A. The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the Indiana Department of Transportation will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code of Federal Regulations, the Regulations for the Administration of Federal-Aid Highway Programs and the policies and procedures prescribed by FHWA, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the *Indiana Department of Transportation* all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the Indiana Department of Transportation and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the Indiana Department of Transportation its successors and assigns.

The Indiana Department of Transportation, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on over or under such lands hereby conveyed [,] [and]* (2) that the Indiana Department of Transportation shall use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, and as said Regulations may be amended [,] and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

APPENDIX C

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Indiana Department of Transportation (INDOT) pursuant to the provisions of Assurance 7(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, INDOT shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.

[Include in deed.]*

That in the event of breach of any of the above nondiscrimination covenants, Indiana Department of Transportation shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of INDOT and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by INDOT pursuant to the provisions of Assurance 7(b).

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases add "as a covenant running with the land") that (1) no person on the ground of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income shall be excluded from participation in, denied the benefits of, or he otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the ground of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income, shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations. Department of Transportation, Subtitle A, Office of the Secretary. Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964), Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, INDOT shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, INDOT shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of INDOT and its assigns.

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

APPENDIX B: COMPLAINT POLICY

Complaint Policy

Any person who believes that he or she as a member of a protected class, has been discriminated against based on race, color, national origin, gender, age, disability, religion, low income status, or Limited English Proficiency in violation of Title VI of the Civil Rights Act of 1964, as amended and its related statutes, regulations and directives, Section 504 of the Vocational Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, as amended, the Civil Rights Restoration Act of 1987, as amended, and any other Federal nondiscrimination statute may submit a complaint. A complaint may also be submitted by a representative on behalf of such a person.

It is the policy of Town of Richland to conduct a prompt and impartial investigation of all allegations of discrimination and to take prompt effective corrective action when a claim of discrimination is substantiated.

No one may intimidate, threaten, coerce or engage in other discriminatory conduct against anyone because they have taken action or participated in an action to secure rights protected by the civil rights laws. Any individual alleging such harassment or intimidation may submit a complaint by following the procedure printed below.

Any individual who feels that he or she has been discriminated against may submit a written or verbal complaint. The complaint may be communicated to any company supervisor or to the company EEO Officer. The complaint should be submitted within 180 days of the alleged discrimination. Complaint forms may be found at the Town of Richland's Clerk/Treasurer Office. Individuals are not required to use the company's complaint form. If necessary, the company will help an individual reduce his or her complaint to writing for his or her signature.

Generally a complaint should include the name, address and telephone number of the individual complaining (complainant) and a brief description of the alleged discriminatory conduct including the date of harm. An individual submitting a complaint alleging discrimination may include any relevant evidence, including the names of witnesses and supporting documentation.

Complaints should be directed to:
CINDY SARVER, TITLE VI COORDINATOR
PO BOX 126
RICHLAND IN 47634
812-660-0550
ADACOORDINATORRICHLAND@GMAIL.COM

Within 60 days of the receipt of the complaint the company will conduct an investigation of the allegation based on the information provided and issue a written report of its findings to the complainant. The company will try to obtain an informal voluntary resolution to all complaints at the lowest level possible.

A complainant's identity shall be kept confidential except to the extent necessary to conduct an investigation. All complaints shall be kept confidential.

These procedures do not deny the right of any individual to file a formal complaint with any government agency or affect an individual's right to seek private counsel for any complaint alleging discrimination.

Complaints may also be filed with the following government agencies:

Indiana Department of Transportation
Economic Opportunity Division
100 N. Senate, Room N750
Indianapolis, IN 46204
Phone: (317) 233-6511
Fax: (317) 233-0891

Indianapolis District EEOC Office
101 West Ohio Street, Ste 1900
Indianapolis, IN 46204
Phone: (800) 669-4000
Fax: (317) 226-7953
TTY: 1 (800) 669-6820

Indiana Civil Rights Commission
100 N. Senate Ave., Room N103
Indianapolis, IN 46204
Toll Free: 1 (800) 628-2909
Phone: (317) 232-2600
Fax: (317) 232-6560
Hearing Impaired: 1 (800) 743-3336

APPENDIX C: COMPLAINT LOG

TITLE VI COMPLAINT LOG

[illegible]

APPENDIX D: EXTERNAL COMPLAINT PROCEDURE

EXTERNAL COMPLAINT OF DISCRIMINATION

INSTRUCTIONS:

The purpose of this form is to help any person interested in filing a discrimination complaint with the Town of Richland. You are not required to use this form. You may write a letter with the same information, sign it, and return it to the address below. All bold items must be completed for your complaint to be investigated. Failure to provide complete information may impair the investigation of your complaint.

Title VI of the Civil Rights Act of 1964, as amended and its related statutes and regulations (Title VI) prohibit discrimination on the basis of race, color, national origin, sex, age, disability/handicap, or income status in connection with programs or activities receiving federal financial assistance for the United States Department of Transportation, Federal Highway Administration, and/or Federal Transit Administration. These prohibitions extend to the Town of Richland as a sub-recipient of federal financial assistance.

Upon request, assistance will be provided if you are an individual with a disability or have limited English proficiency. Complaints may also be filed using alternative formats such as computer disk, audiotape, or Braille.

You also have the right to file a complaint with other state or federal agencies that provide federal financial assistance to the Town of Richland. Additionally, you have the right to seek private counsel.

The Town of Richland is prohibited from retaliating against any individual because he or she opposed an unlawful policy or practice, filed charges, testified, or participated in any complaint action under Title VI or other nondiscrimination authorities.

Please make a copy of your complaint form for your personal records. Do not send your original documents as they will not be returned. Mail the original complaint form along with any copies of documents or records relevant to your complaint to the address below.

Complaints of discrimination must be filed within 180 days of the date of the alleged discriminatory act. If the alleged act of discrimination occurred more than 180 days ago, please explain your delay in filing this complaint.

****Your complaint cannot be processed without your signature.**

COMPLAINANT INFORMATION		
Name <i>(first, middle, and last)</i>		
Address <i>(number and street, city, state and ZIP code)</i>		
Home telephone number () -	Work telephone number () -	Cellular telephone number () -
Name of complainant		Date <i>(month, day, year)</i>

51

Name of complainant	Date (month, day, year)
---------------------	-------------------------

Provide the names of any individuals with additional information regarding your complaint:		
Name of witness 1 (first, middle, and last)		Title
Name of company		
Address (number and street, city, state and ZIP code)		
Home telephone number () -	Work telephone number () -	Cellular telephone number () -
Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.		

Name of witness 2 (first, middle, and last)		Title
Name of company		
Address (number and street, city, state and ZIP code)		
Home telephone number () -	Work telephone number () -	Cellular telephone number () -
Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.		

Name of witness 3 (first, middle, and last)		Title
Name of company		
Address (number and street, city, state and ZIP code)		
Home telephone number () -	Work telephone number () -	Cellular telephone number () -
Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.		

How would you like your complaint to be resolved?		

Name of complainant		Date (month, day, year)
Have you filed a complaint alleging the same discrimination with another state or federal agency? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, please provide the following information for each agency:		
Name of the agency		Date complaint filed (month, day, year)
Case number assigned to your complaint	Current status of your complaint	
How did you learn about your right to file a discrimination complaint with INDOT?		
<hr/> <hr/>		
Signature		Date signed (month, day, year)

APPENDIX E: VOLUNTARY PUBLIC INVOLVEMENT SURVEY

VOLUNTARY TITLE VI PUBLIC INVOLVEMENT SURVEY

As a recipient of federal funds, the Indiana Department of Transportation (INDOT) is requiring local agencies to develop a procedure for gathering statistical data regarding participants and beneficiaries of its federal-aid highway programs and activities (23 CRF §200.9(b)(4)). The Town of Richland is distributing this voluntary survey to fulfill that requirement to gather information about the populations affected by proposed projects.

You are not required to complete this survey. Submittal of this information is voluntary. This form is a public document that the Town of Richland will use to monitor its programs and activities for compliance with Title VI and the Civil Rights Act of 1964, as amended and its related statutes and regulations.

If you have any questions regarding the Town of Richland's responsibilities under Title VI of the Civil Rights Act of 1964 or the Americans with Disabilities Act, please contact Cindy Sarver, Title VI Coordinator, PO Box 126, Richland, IN 47634, adacoordinatorrichland@gmail.com.

You may return the survey by folding it and placing it on the registration table or by mailing or e-mailing it to the address below.

Date:								
Project Name:								
Proposed Project Location:								
Gender: <input type="checkbox"/> Female <input type="checkbox"/> Male Ethnicity: <input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Not Hispanic or Latino								
Race: (Check one or more) <table border="0"><tr><td><input type="checkbox"/> American Indian or Alaska Native</td><td><input type="checkbox"/> Asian</td></tr><tr><td><input type="checkbox"/> Native Hawaiian or Other Pacific Islander</td><td><input type="checkbox"/> White</td></tr><tr><td><input type="checkbox"/> Black or African-American</td><td><input type="checkbox"/> Multiracial</td></tr></table>			<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> Asian	<input type="checkbox"/> Native Hawaiian or Other Pacific Islander	<input type="checkbox"/> White	<input type="checkbox"/> Black or African-American	<input type="checkbox"/> Multiracial
<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> Asian							
<input type="checkbox"/> Native Hawaiian or Other Pacific Islander	<input type="checkbox"/> White							
<input type="checkbox"/> Black or African-American	<input type="checkbox"/> Multiracial							
Age: <input type="checkbox"/> 1-21 <input type="checkbox"/> 22-40 <input type="checkbox"/> 41-65 <input type="checkbox"/> 65+		Disability: <input type="checkbox"/> Yes <input type="checkbox"/> No						
Household Income: <table border="0"><tr><td><input type="checkbox"/> \$0-\$12,000</td><td><input type="checkbox"/> \$12,001-\$24,000</td><td><input type="checkbox"/> \$24,001-\$36,000</td></tr><tr><td><input type="checkbox"/> \$36,001-\$48,000</td><td><input type="checkbox"/> \$48,001-\$60,000</td><td><input type="checkbox"/> \$60,001+</td></tr></table>			<input type="checkbox"/> \$0-\$12,000	<input type="checkbox"/> \$12,001-\$24,000	<input type="checkbox"/> \$24,001-\$36,000	<input type="checkbox"/> \$36,001-\$48,000	<input type="checkbox"/> \$48,001-\$60,000	<input type="checkbox"/> \$60,001+
<input type="checkbox"/> \$0-\$12,000	<input type="checkbox"/> \$12,001-\$24,000	<input type="checkbox"/> \$24,001-\$36,000						
<input type="checkbox"/> \$36,001-\$48,000	<input type="checkbox"/> \$48,001-\$60,000	<input type="checkbox"/> \$60,001+						
Cindy Sarver, Title VI Coordinator PO Box 126 Richland, IN 47634 Phone Email								

APPENDIX F: I-Speak Card

☐

ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.

1. Arabic

☐

Խոսո՞ւմ ե՞ս 'նշում' կամ չեմ 'խոսում',
կընչ կ'սոսմ' կամ 'կ'խոսում' ե՞ք հարկում:

2. Armenian

☐

যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বক্সে দাগ দিন।

3. Bengali

☐

ឈ្មោះអ្នកក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។

4. Cambodian

☐

Motka i kahhon ya yangin untungnu' manaitai pat untungnu' kumentos Chamorro.

5. Chamorro

☐

如果你能读中文或讲中文，请选择此框。

6. Simplified Chinese

☐

如果你能讀中文或講中文，請選擇此框。

7. Traditional Chinese

☐

Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.

8. Croatian

☐

Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.

9. Czech

☐

Kruis dit vakje aan als u Nederlands kunt lezen of spreken.

10. Dutch

☐

Mark this box if you read or speak English.

11. English

☐

اگر خواندن و نوشتن فارسی بلد هستید این مربع را علامت بزنید.

12. Farsi

<input type="checkbox"/> Cocher ici si vous lisez ou parlez le français.	13. French
<input type="checkbox"/> Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	14. German
<input type="checkbox"/> Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	15. Greek
<input type="checkbox"/> Make kazyé sa a si ou li oswa ou pale kreyòl ayisyen.	16. Haitian Creole
<input type="checkbox"/> अगर आप हिन्दी बोलते या पढ़ सकते हैं तो इस बक्स पर चिह्न लगाएँ।	17. Hindi
<input type="checkbox"/> Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	18. Hmong
<input type="checkbox"/> Jelölje meg ezt a kockát, ha megérti vagy beszél a magyar nyelvet.	19. Hungarian
<input type="checkbox"/> Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	20. Ilocano
<input type="checkbox"/> Marchi questa casella se legge o parla italiano.	21. Italian
<input type="checkbox"/> 日本語を讀んだり、話せる場合はここに印を付けてください。	22. Japanese
<input type="checkbox"/> 한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	23. Korean
<input type="checkbox"/> ໃຫ້ທ່ານໃຊ້ວຽງ ຖ້າທ່ານສາມາດອ່ານຫລືພາສາລາວ.	24. Laotian
<input type="checkbox"/> Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	25. Polish

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U.S. CENSUS BUREAU

<input type="checkbox"/>	Assinale este quadrado se você lê ou fala português.	26. Portuguese
<input type="checkbox"/>	Înscrispeți această căsuță dacă citiți sau vorbiți românește.	27. Romanian
<input type="checkbox"/>	Пометьте этот квадратик, если вы читаете или говорите по-русски.	28. Russian
<input type="checkbox"/>	Обележите ovaj kvadratić ukoliko čitate или говорите српски језик.	29. Serbian
<input type="checkbox"/>	Označte tento štvorček, ak viete čítať alebo hovoriť po slovensky.	30. Slovak
<input type="checkbox"/>	Marque esta casilla si lee o habla español.	31. Spanish
<input type="checkbox"/>	Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	32. Tagalog
<input type="checkbox"/>	ใช้การเครื่องหมายในช่องถ้าท่านอ่านหรือพูดภาษาไทย.	33. Thai
<input type="checkbox"/>	Maaka 'i he puha ni kapau 'oku ke lau pe lea fakatonga.	34. Tongan
<input type="checkbox"/>	Відмітьте цю клітинку, якщо ви читаете або говорите українською мовою.	35. Ukranian
<input type="checkbox"/>	اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانے میں نشان لگائیں۔	36. Urdu
<input type="checkbox"/>	Xin đánh dấu vào ô này nếu quý vị biết đọc và nói được Việt Ngữ.	37. Vietnamese
<input type="checkbox"/>	באצייבונט דעם קעסטל אויב איר לייענט אדער רעדט אידיש.	38. Yiddish

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Economics and Statistics Administration
U.S. CENSUS BUREAU

APPENDIX G: Employee Title VI Acknowledgment Form

TOWN OF RICHLAND

TITLE VI EMPLOYEE ACKNOWLEDGMENT FORM

TOWN OF RICHLAND, INDIANA

AN EQUAL OPPORTUNITY EMPLOYER

Title VI of the Civil Rights Act of 1964 as amended prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance.

Specifically Title VI provides that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal Financial Assistance” (42 U.S.C. Section 2000d).

Pursuant to Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 Town of Richland will not exclude from participation in, deny the benefits of, or subject to discrimination any individual on the grounds of race, color, or national origin.

All Town of Richland employees are expected to consider, respect, and observe this policy in their daily work responsibilities and interactions with other employees and the public. Town of Richland employees should work to prevent and alleviate any barriers to service or public use that would restrict public access or usage and take prompt and reasonable action to avoid or minimize discrimination incidences. If another employee or citizen approaches with a question, concern or complaint regarding discrimination, please refer them to the Town of Richland’s Title VI Coordinator.

Cindy Sarver, ADA/Title VI Coordinator

PO Box 126

Richland, IN 47634

(812) 660-0550

adacoordinatorrichland@gmail.com

Employee Name: _____ **Date:** _____
(PLEASE PRINT)

Employee Signature: _____

Job Description: _____

*****Employee signature confirms receipt and understanding of Title VI policy and plan*****

1.30.040

TRANSITION PLAN FOR PUBLIC RIGHTS-OF-WAY

Section 504 of the Rehabilitation Act
of 1973 (29 USC 794(a))
Americans with Disabilities Act (ADA)
of 1990 (42 USC 12111)

(Ord. 2020-06, Oct. 14, 2020)

Town of Richland, Indiana

October 14, 2020

ADA TRANSITION PLAN FOR PUBLIC RIGHTS-OF-WAY
Town of Richland, Indiana

Table of Contents

1. Introduction
2. Transition Plan Development
 - A. ADA Coordinator
 - B. Grievance Procedure
 - C. Self-Evaluation
 - D. ADA Standards, Specifications and Design Details
 - E. Implementation

Appendix A - Complaint/Grievance Form

Appendix B – INDOT Standards For Curb, Curb Ramp And
Sidewalk Construction

Appendix C – Summary Of The Inventory And Recommendations
For Curb Ramps And Sidewalks

1. INTRODUCTION

The Americans with Disabilities Act (ADA) was enacted on July 26, 1990 and later amended effective January 1, 2009. As written and implemented, the ADA provides comprehensive civil rights protections to persons with disabilities in the areas of employment, state and local government services, access to public accommodations, transportation, and telecommunication. The ADA is a companion civil rights legislation to the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. In order to be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such impairment. The ADA, however, does not specifically name all of the impairments that are covered.

The ADA is divided into five sections covering the following topics:

Title I: Employment

Title II: Public Services (and Transportation)

Title III: Public Accommodations (and Commercial Facilities)

Title IV: Telecommunications

Title V: Miscellaneous Provisions

Title II, specifically prohibits state and local governments from discriminating against persons with disabilities or from excluding participation in or denying benefits of programs, services, or activities to person with disabilities. It is under this title that this transition plan has been prepared. This transition plan is intended to outline the methods by which physical changes will be made to give effect to the non-discrimination policies described in Title II.

2. TRANSITION PLAN DEVELOPMENT

To ensure program accessibility for people with disability in the community, the **Town Of Richland** has developed a Transition Plan, which is to be considered good practice. This Transition Plan for Public Rights-of Way considers the following:

A. ADA COORDINATOR:

Effective communication is essential to address all the complaints or concerns of all individuals. In order to keep maintaining the lines of communication open, and thereby ensuring effective communication between all parties, the **Town of Richland** has designated Cindy Sarver as the ADA coordinator. The ADA Coordinator shall coordinate the **Town of Richland's** efforts to comply with and carry out its responsibilities under Title 11 of the ADA, including any investigation of any complaint communicated to the ADA coordinator. Such complaints may take the form of alleging noncompliance with ADA mandates or alleging any actions that would be prohibited under the ADA. The **Town of Richland** shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints. Every complaint must be directed in writing to the ADA Coordinator, in this case. _____

B. GRIEVANCE PROCEDURE:

The Grievance Procedure established below is intended to adhere to the standards outlined in the ADA. The procedure must be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provisions of services, activities, programs, or benefits provided by the **Town of Richland**.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complaint and location, date, and description of the problem. Grievance Forms must be used to lodge a complaint, please make reference to Appendix A. Alternative means of filing complaints, such as personal interviews or recording of the complaint will be made available for persons with disabilities upon request. The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 180 calendar days after the alleged violation to:

Cindy Sarver, ADA Coordinator

PO Box 126

Richland, IN 47634

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or their designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, ADA Coordinator or his designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town of Richland and offer options for substantive resolution of the complaint.

If the response by ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the ADA Coordinator or his/her designee. Within 15 calendar days after receipt of the appeal, the ADA Coordinator or his/her designee will meet again with the complainant to discuss the appeal and possible resolutions. Within 15 calendar days after the meeting, the ADA Coordinator or his/her designee will respond in writing, and, where appropriate, in a formats described above that accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or their designee, appeals to the ADA Coordinator or their designee, and responses from ADA office will be retained by the **Town of Richland** for at least three (3) years.

ADA TRANSITION PLAN FOR PUBLIC RIGHTS-OF-WAY
Town of Richland, Indiana

C. SELF EVALUATION

The **Town of Richland** has conducted an inventory of curb ramps and sidewalks using field visits supplemented by aerial photography. Many of these do not meet ADA minimum requirements. The Town of Richland is committed to making all curb ramp and sidewalk areas accessible to all pedestrians including those with disabilities. This will be accomplished through the following programs:

- All new construction, reconstruction, roadwork construction or alterations, including federal projects under the control and/or inspection of the Town of Richland Department will be in compliance with the ADA;
- The **Town of Richland** will have in place an annual sidewalk repair program;
- **Alternate No. 1.** Using a conservative estimate of (Example, \$1,500) per curb ramp installation or reconstruction, the **Town of Richland** is committing from gasoline sales tax, (Example, \$25,000 each year for the next 20 years). The **Town of Richland** will complete this work with its own forces or will obtain bids to complete this work for the purpose of installing new curb ramps and reconstructing existing curb ramps to meet ADA standards.
- **Alternate No. 2.** Based on an inventory of their curb ramps and sidewalk, the **Town of Richland** is committing from gasoline sales tax, (Example, \$25,000 each year for the next 20 years) for rehabilitation of curb ramps and sidewalk. The **Town of Richland** will complete this work with its own forces or will obtain bids to complete this work for the purpose of installing new curb ramps and reconstructing existing curb ramps to meet ADA standards. A summary of the inventory and recommendations is included in **Appendix C**.
- Missing or non-complaint curb ramps shall be prioritized.

SELF EVALUATION, Continued

- Missing or non-complaint sidewalk areas beyond the public right-of-way that connect building and facility entrances to public streets and sidewalks may fall under other ADA guidelines. As such, these are outside the scope of this document, and will be documented and prioritized elsewhere.
- The Indiana Department of Transportation will be responsible and will cover all crosswalks and curb ramps on all corners directly adjacent to the state roads, including those curb ramps and crosswalks running parallel to a state road, for the purposes of this inventory.

D. ADA STANDARDS SPECIFICATIONS AND DESIGN DETAILS:

The standards are intended to apply to all construction undertaken within the **Town of Richland** Rights-of-Way. The **Town of Richland** standards and specifications together with the Indiana Department of Transportation design guidelines, standard drawings, and standard specifications will provide the key standards and guidelines for this plan. Other standards, if necessary, will be applied at the discretion of the ADA Coordinator.

Copies of the latest INDOT Standards for curb, curb ramp, and sidewalk construction are included in **Appendix B**.

E. IMPLEMENTATION

The Town of Richland intends to implement this Transition Plan effective the date of this document. Not only does the **Town of Richland** commit to following the guidelines set forth in this Transition Plan, but it also commits to actively revising and amending this document as new information is discovered. Further, as a matter of policy, this document will be updated at least every five years. A copy of this document will also be placed on the **Town of Richland's** website.

Appendix A: Complaint / Grievance Form

Grievant Information:

Grievant Name:			
Address:	City:	State:	Zip Code:
Phone: () -	E-Mail:		
Alternative Phone: () -			

Person Preparing Complaint Relationship to Grievant (if different from Grievant):

Name:			
Address:	City:	State:	Zip Code:
Phone: () -	E-Mail:		
Alternative Phone: () -			

Please specify any location(s) related to the complaint or grievance (if applicable):

Please provide a complete description of the specific complaint or grievance:

Please state what you think should be done to resolve the complaint or grievance:

Please attach additional pages as needed.

Signature: _____

Date: _____

Please return to: ADA Coordinator, Cindy Sarver, PO Box 126, Richland, IN 47634

Upon request, reasonable accommodation will be provided in completing this Form or copies of the form will be provided in alternative formats. Contact the ADA Coordinator at the address listed above or via telephone (812) 660-0550.

APPENDIX B

**INDOT STANDARDS FOR CURB, CURB RAMP AND
SIDEWALK CONSTRUCTION**

SECTION 22 – ADA COMPLIANCE FOR SIDEWALK, CURB RAMPS, BLENDED TRANSITIONS, AND PEDESTRIAN FACILITIES

22.1 SIDEWALKS AND CURB RAMPS *(Rev. 05-18-20)*

22.1.1 Regulations

When constructing pedestrian facilities (sidewalk, trail, non-vehicular use facility), the requirements of the Americans with Disabilities Act (ADA) must be met regardless of the project's funding source. Exceptions to these requirements require a determination of technical infeasibility, issued by the Highway Design and Technical Support Division in conjunction with the Department's Title VI Program and FHWA. The intent is that technical infeasibility is determined prior to construction.

If the plans do not accurately reflect the field conditions encountered, particularly when curb ramps are involved, the PE/S should work through the AE and the designer to examine alternative solutions. "Doing the best you can" is not sufficient for ADA compliance. The Department's ADA Technical Advisory Committee can provide technical assistance (ADA@indot.in.gov). If an alternative that meets the ADA requirements cannot be found, the PE/S should have the designer document the alternatives considered and request a determination of technical infeasibility. The Indiana Design Manual (IDM) describes this process. Work should not continue until a determination has been made.

Indiana Design Manual

IDM Chapter 51 contains information on the Americans with Disabilities Act (ADA), curb ramp, sidewalk and pedestrian pushbutton requirements. IDM Chapter 17 contains information on curb ramp quantities.

Note: Effective with September 2016 lettings, curb ramps are no longer paid for by a type. Designers should be detailing all curb ramps on the plans.

INDOT Standard Specifications

Section 604 Sidewalks, Curb Ramps, Steps, and Handrails

Section 805 Traffic Signals

Section 905.05 Detectable Warning Surfaces

INDOT Standard Drawings

604-SWCR Sidewalk Curb Ramps

604-SWDK Sidewalk and Sidewalk Transitions

805-PBBA Pedestrian Pushbutton Assembly

ADAAG vs. PROWAG

The 2010 ADA Standards for Accessible Design (2010 Standards) is the current standard for providing facilities that are readily accessible and usable by persons with disabilities. However, the guidelines were developed primarily for buildings and facilities outside the right of way. Pedestrian facilities within the public right of way contain elements to which the 2010 Standards cannot be readily applied. For this reason, the U.S. Access Board

proposed guidelines specifically for pedestrian facilities in the public right of way - the Public Rights-of-Way Accessibility Guidelines (PROWAG). These guidelines are recommended as best practice by the Federal Highway Administration and are currently being evaluated as part of the federal rulemaking process. Once adopted as a regulation, with or without modifications, the guidelines will be mandatory. The PROWAG was used to develop the Department's ADA transition plan and should be used as the basis for identifying the required curb ramp, landing (turning space), and sidewalk dimensions and slopes.

Changes from ADAAG to the PROWAG

Very little has changed from the ADAAG to the PROWAG. The items listed below represent notable differences.

1. The minimum clear width of a curb ramp, turning space, or sidewalk, is 4 feet. A 3-ft pinch point is not acceptable. For sidewalks – where the width is less than 5 ft, a 5 ft by 5 ft passing space is required every 200 ft.
2. The grade (running slope) of the sidewalk may match the adjacent roadway profile grade.
3. A curb ramp running slope of 10% for a 6-in. rise is not acceptable.
4. A sidewalk adjacent to a roadway does not require a landing area or handrail, regardless of the roadway grade.
5. Detectable warning elements must extend the full width of the ramp. Where forming is required, a 2-in. maximum border width may be provided. Only the clarification where a border is necessary is new.

Changes from previous INDOT practice

Much has changed from previous INDOT practice. The items listed below represent notable differences.

1. Designers have been directed to fully detail curb ramps on the construction plans. Simply calling out a ramp by type, e.g. Type A, is not acceptable. Spot elevations, widths, and slopes should be shown or tabulated.
2. **There is no construction tolerance for cross slope.** The maximum cross slope is 2.00%. The PROWAG contains exceptions to cross slope requirements for ramps and turning spaces when matching the grade of the adjacent roadway. Designers have been directed to use no more than 1.5% as a design value. Specifications now state this explicitly. A 2-ft level is also identified for checking compliance. *Note: A 2-ft level is not required by PROWAG but was included so that the expectation was*

clear. Forms should be checked prior to pour to ensure maximum slopes are not exceeded and minimum dimensions are met.

3. **There is no construction tolerance for running slope.** The maximum ramp running slope is 8.33%. Designers have been directed to use no more than 8.0% as a design value. Specifications now state this explicitly. *Note: A 2-ft level is not required by PROWAG but was included so that the expectation was clear. Forms should be checked prior to pour to ensure maximum slopes are not exceeded and minimum dimensions are met.*
4. The Standard Drawings no longer identify curb ramps by a letter type. They are identified by configuration – either perpendicular or parallel.
5. All curb ramps are paid for as a single pay item Curb Ramp, Concrete.
6. Detectable Warning Surfaces (truncated domes) are paid for separately. The area of detectable warning surfaces is not subtracted out of the Curb Ramp, Concrete quantity.

22.1.2 General Construction Notes

1. Sidewalks are usually replaced when they are disturbed or removed during construction. Sidewalks beyond the construction limits, which are damaged by the Contractor's equipment, must be replaced at no cost to the State. Construct sidewalks only where shown on the plans unless a change is authorized. Sidewalks built adjacent to curbs should be constructed 1/2 in. above the curbs.
2. Pedestrian accessibility is required to be provided and maintained during the construction of the project where facilities currently exist. Accessibility consists of signed pedestrian detours utilizing existing and temporary features including curb ramps, detectable warning surfaces, pedestrian signals, pavement markings, pedestrian phasing, or sidewalks effected by the work zone. The contract plans should be reviewed to identify the methods to be used for pedestrian access.
3. Sidewalks placed at drives shall be 6 in. thick or same depth as existing drive, whichever is greater.
4. When reconstructing portions of sidewalk, the joint pattern of new sidewalk should be similar to that of sidewalk to remain in place.
5. Height of a single two-by-four is not acceptable as a form.
6. Forms should be checked prior to pour to ensure maximum slopes are

not exceeded and minimum dimensions are met.

7. Construct sidewalks only where shown on the plans unless a change is authorized.

22.2 CURB RAMP BASICS *(Add. 12-07-17)*

Curb ramps and turning spaces are part of the Pedestrian Access Route (PAR) and must meet ADA standards. INDOT separates curb ramps into component and design elements.

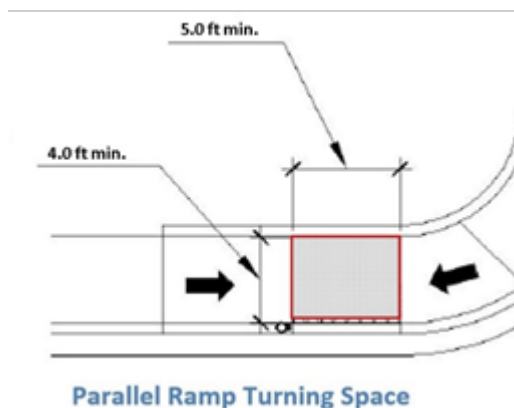
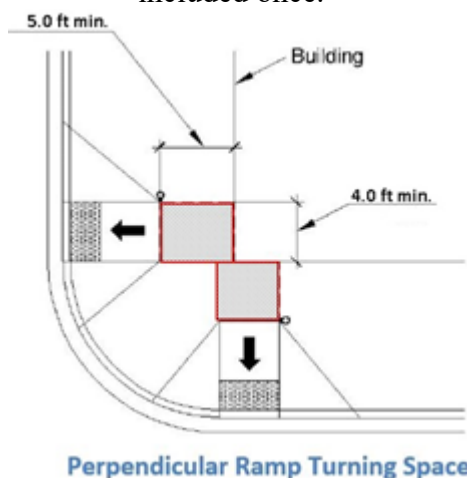
22.2.1 Components

The PROWAG section reference is shown in brackets adjacent the component description below.

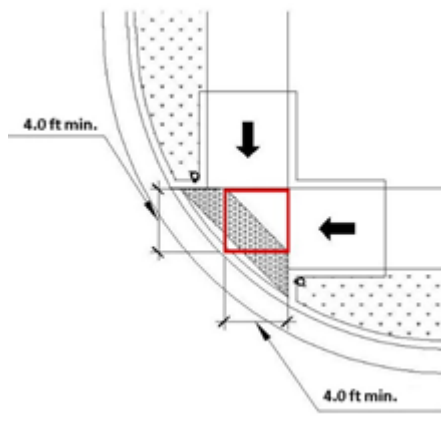
1. Ramp or Blended Transition [R304.1]. The ramp or blended transition is the portion of a curb ramp that facilitates the change in elevation from the sidewalk to street level. Typically the curb ramp cuts through or is built up to the curb. Although similar, ramps to or within buildings are subject to separate requirements [R407].
2. Turning Space [R304.2.1]. A turning space or landing area must be provided at the top of a perpendicular curb ramp, the bottom of a parallel curb ramp, and where the pedestrian access route changes direction. It is acceptable for two perpendicular curb ramps to share a common landing.

Minimum dimensions: 4 ft by 4 ft. Where the turning space is constrained by a curb, building, or other feature at the back of the sidewalk, the minimum required dimensions are 4 ft by 5 ft, with the 5-ft dimension in the direction of the ramp run.

Quantities: The turning space is included in the SYS cost of the concrete curb ramp. Where turning spaces overlap, the area should only be included once.

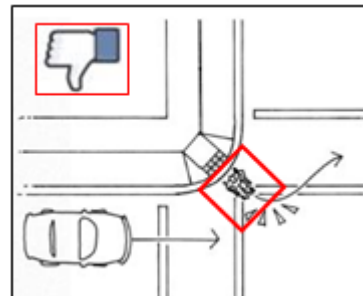
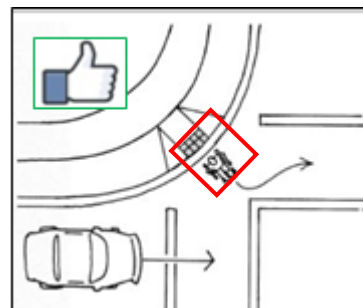
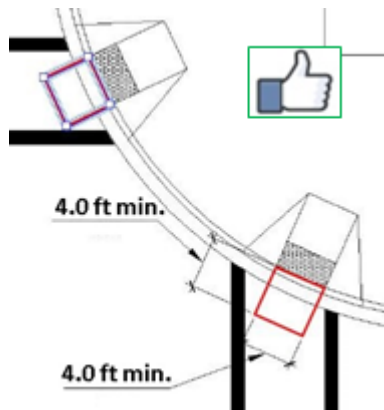


Overlapping Turning Space



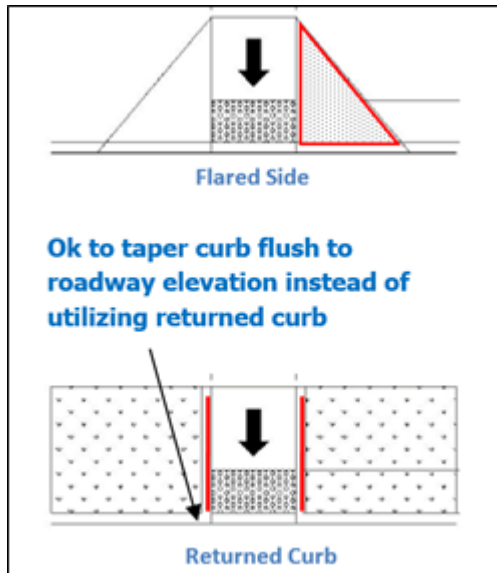
3. Clear Space [R304.5.5]. The clear space is provided beyond the grade break at the bottom of a ramp to allow a wheelchair user to maneuver and align with the crosswalk. The minimum required dimensions are 4 ft by 4 ft. The clear space should be level and must be within the width of the pedestrian crossing and wholly outside the parallel vehicle travel lane. The parallel vehicle travel lane is the lane where traffic is traveling parallel to the crosswalk.

The clear space requirement requires particular attention at diagonal ramps and other locations where the ramp run is not in line with the direction of pedestrian travel.



Quantities: The clear space is not quantified separately.

4. Flared Sides and Returned Curbs [R304.2.3].



a. Flared Sides. Required where the curb ramp intersects a sidewalk or other walkable surface.

Maximum Slope: 10.0%

b. Returned Curbs. May be used instead of flared sides where the curb ramp intersects a buffer, sodded area, or other non-walkable surface or where protected from cross travel by landscaping, street furniture, fencing, or railing.

Note: Returned curbs assist pedestrians with low vision with wayfinding. However, returned curbs can also be problematic for snowplows. Returned curb can be eliminated altogether and the roadway curb tapered to be flush at the ramp. Tapering a curb to the roadway elevation does not impact compliance with ADA standards.

Quantities: Both flared sides and returned curbs are included in the SYS cost of the concrete ramp.

5. Detectable Warning Surfaces [R305.1]. Detectable warning surfaces consist of truncated domes aligned in a square or radial grid pattern and must extend the full width of the curb ramp. The designer will show the DWS the full width of the ramp. The Contractor chooses the DWS from the Approved Materials List. Brick DWS will need some type of forming. A 2-in concrete border can encroach into the ramp width, but any additional width must be outside the ramp. A total width of 4 in. should be sufficient for durability purposes. An L-bracket or other means of restraint is also acceptable.

Detectable warning surfaces must contrast visually with the adjacent gutter, street, or pedestrian access surface. Each curb ramp must contain a detectable warning surface except as follows.

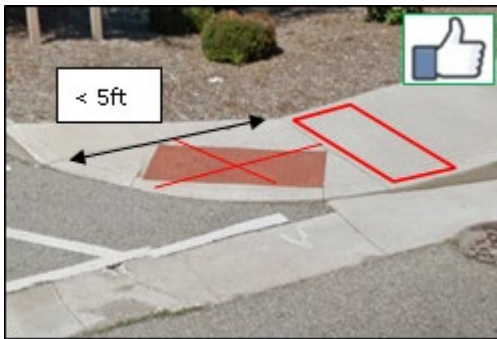
Where the cut through pedestrian refuge island is less than 6 ft in the direction of pedestrian travel, detectable warning surfaces should not be placed as there is not sufficient distance between surfaces to distinguish the boundary between pedestrian and vehicular routes.



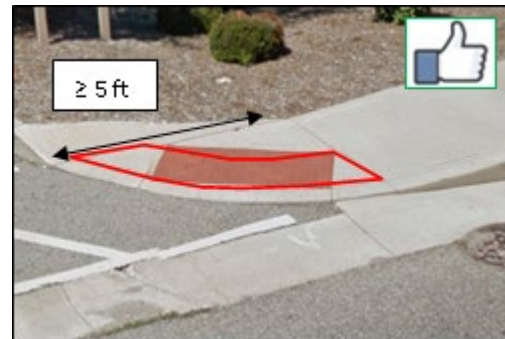
Detectable Warning Surface full width of the ramp.



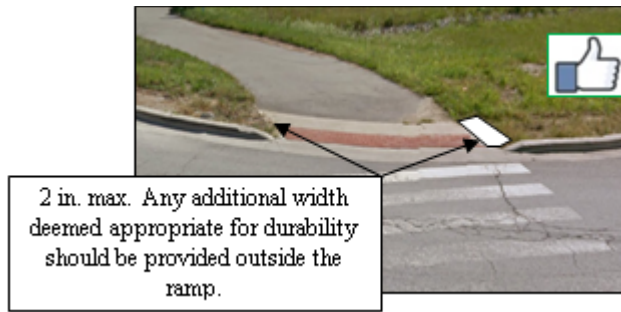
Detectable Warning Surface is not full width of the ramp. See below for possible solutions.



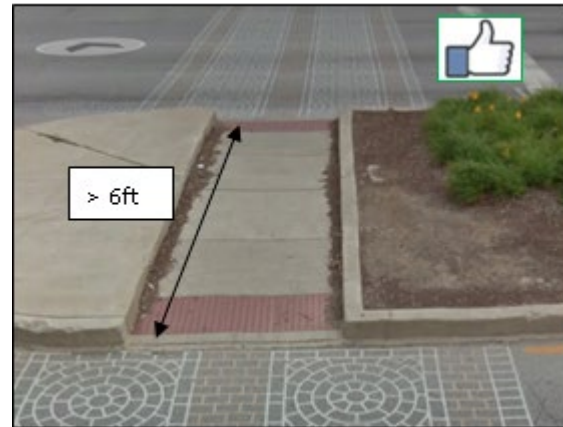
Solution 1. DWS may be at bottom of ramp when located less than 5 ft from back of curb.



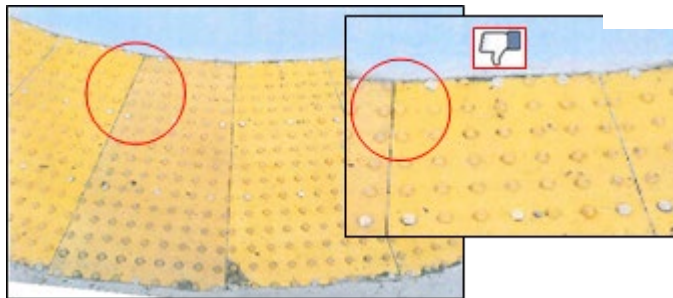
Solution 2. DWS should be in a radial pattern beyond the ramp when the bottom of the ramp is greater than or equal to 5 ft from the back of curb.



For a shared-use path, the DWS should extend the full width of the path, regardless of the inclusion of a ramp.



Use DWS in a median cut through only when median width is 6 ft or greater. Do not use DWS when width is less than 6 ft - not enough space between DWS to distinguish boundary between pedestrian and vehicular routes.



Where DWS is field cut, particular attention must be paid to ensure the dome spacing is within the allowable range shown on the Standard Drawings.

Design Elements. Design elements are characteristics of the various components. The PROWAG section reference is shown in brackets adjacent to the component description below.

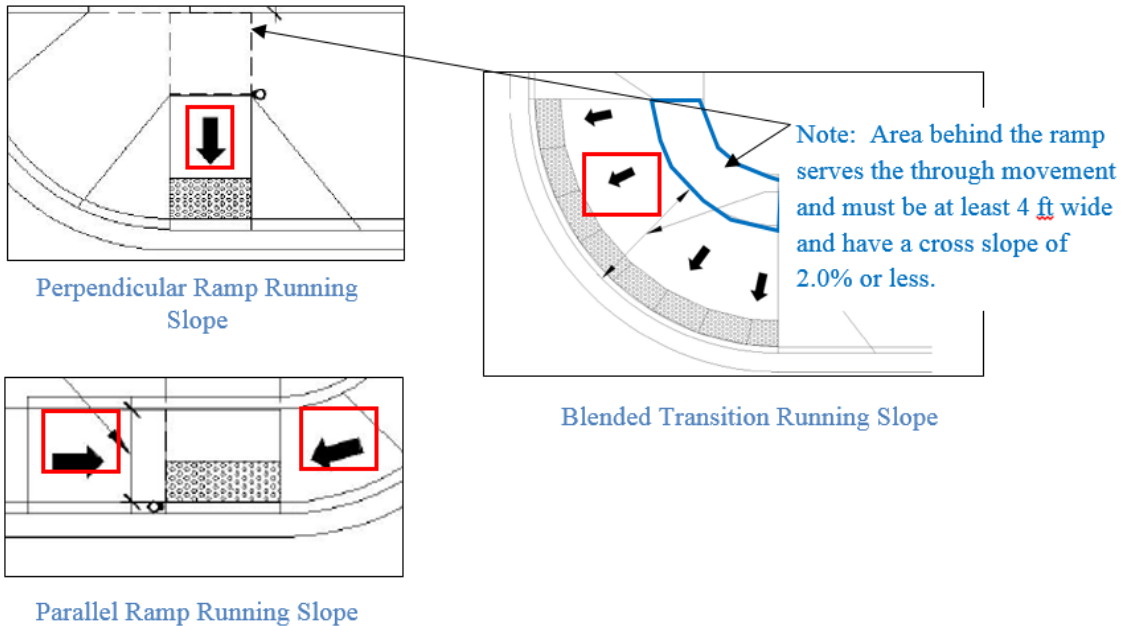
6. Width [R304.5.1]. The minimum clear width of a curb ramp (excluding flared sides) or blended transition is 4 ft. The minimum width for a cut through in the median is 5 ft.

When ramp or blended transition is used with a shared-use path, it is preferred that the width match that of the shared-use path.

7. Running Slope [R304.2.2 and R304.3.2]. The running slope of a ramp is measured parallel to the direction of pedestrian travel. Providing the least slope possible is preferred, and there is no construction tolerance.

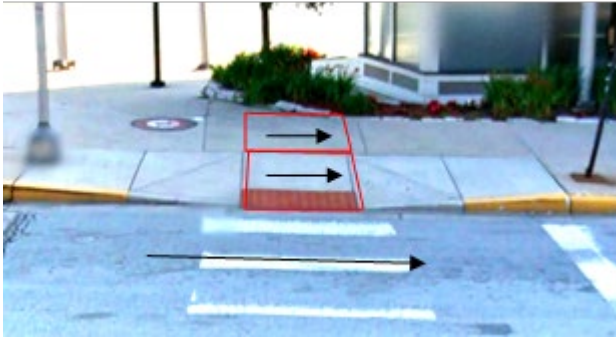
- Curb Ramp. Running slope of 8.33% maximum. 8% should be used for design.

- Blended Transition. Running slope of 5.00% maximum.
- Running slope of 2.00% or less is considered level.



8. Grade Break [R304.5.2]. The grade break at the top and bottom of a curb ramp must be perpendicular to the direction of the ramp run. It may be necessary at corner with a larger radius to indent the grade break from the back of the curb meet this requirement. Grade breaks are not permitted on the surface of the ramp run or within the landing area.
9. Cross Slope [R304.5.3]. Cross slope measured perpendicular to the direction of pedestrian travel. The maximum allowable cross slope of a curb ramp, turning space, or clear space is 2.0% with the exceptions below permitted at crosswalks. 1.5% should be used for design purposes.

At a crosswalk, it may be acceptable for the cross slope to exceed 2.0% without a determination of technical infeasibility. See Sidewalk and Crosswalk Basics cross slope information.



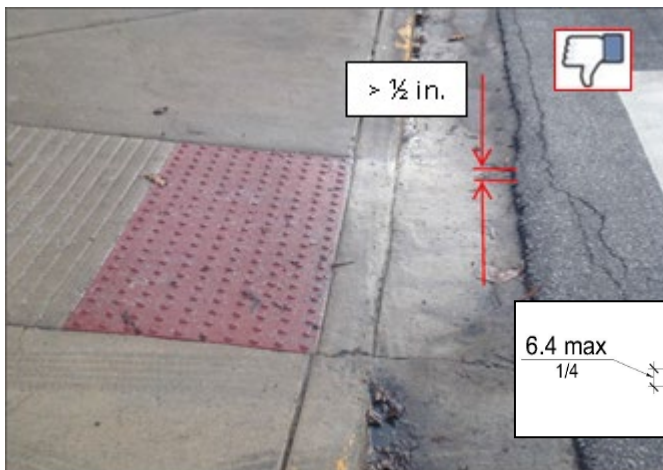
*At a street crossing, cross slope of ramp and turning space may be $>2\%$ to meet roadway grade. If crossing is signalized or has no traffic control, max is 5% . If crossing is stopped condition, max is 2% . If crossing is a midblock crossing, max is the roadway grade.

Roadway grade $>2\%$

10. Counter Slope [R304.5.4]. The counter slope is a slope opposite to the general running slope of the ramp or sidewalk, typically the cross slope of the gutter or roadway at the foot of the curb ramp or blended transition. The counter slope must not exceed 5% . This maximum allows the rate of grade change not to exceed 13% when the maximum ramp running slope is used. Excessive rate of grade change compromise the ground clearance of a wheelchair footrest and may cause the wheelchair to tip.

Where the rate grade change exceeds 11% a 2-ft level area should be provided adjacent the counter slope.

11. Vertical Surface Discontinuities [R302.7.2]. Where a curb ramp meets the roadway, the surface should be flush. Along the Pedestrian Access Route (PAR), the vertical surface discontinuity cannot exceed 0.5 in.. Discontinuities $1/4$ in. and less can remain. Discontinuities greater than $1/4$ in. to $1/2$ in. must be beveled.

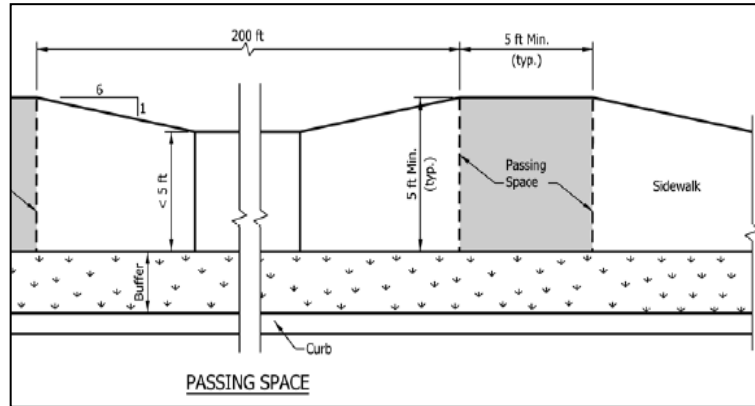


This curb ramp is flush at the curb line, but an overlay has created a vertical discontinuity.

22.3 SIDEWALK AND CROSSWALK BASICS (Rev. 12-07-17)

Sidewalks and crosswalks are part of the Pedestrian Access Route (PAR) and must meet ADA standards.

1. Width. Minimum clear width of 5 ft. Where a 5-ft clear width is not provided, passing spaces of a minimum of 5 ft by 5 ft must be provided every 200 ft.



Where street furniture, utilities, or other obstructions are present on the sidewalk, a clear width (measured between obstructions or from the obstruction to the back of curb or sidewalk) can be 4 ft. The minimum 4 ft dimension is for pinch points only and should not be used as a continuous width.



2. Cross Slope (measured perpendicular to the direction of pedestrian travel).

Sidewalk. Maximum 2.0%. 1.5% should be used for design. The cross slope requirements still apply where the sidewalk crosses a

driveway. The sidewalk cross slope takes precedence over the driveway grade. The driveway approach can be built on a varying grades to ensure the sidewalk cross slope does not exceed 2.0%.

Crosswalk

- Pedestrian street crossings (crosswalks) with stop sign or yield sign = 2.0% maximum.
- Pedestrian street crossings (crosswalks) without yield or stop control, e.g. signalized = 5% maximum.
- Midblock crossing only = Maximum of grade of street or highway being crossed.

3. Grade (measured parallel to the direction of pedestrian travel).

Sidewalk. Maximum grade cannot exceed the grade of the adjacent roadway.

Crosswalk. Matches the cross slope of the roadway.

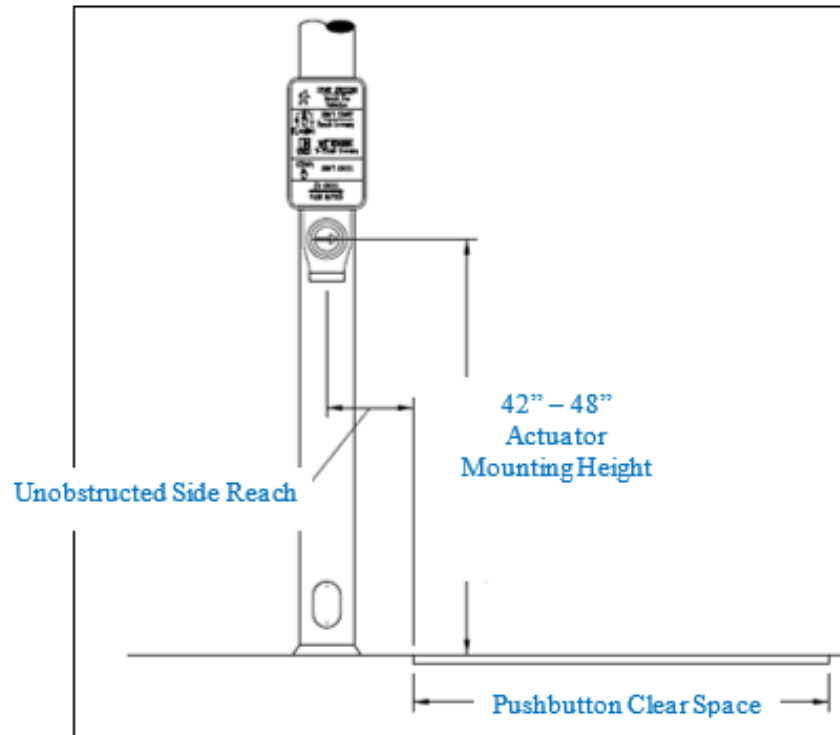
22.4 PEDESTRIAN PUSHBUTTON BASICS *(Add. 12-07-17)*

The placement and configuration of the pedestrian pushbutton assembly is critical to proper function. Engineering judgment is required to determine the optimal installation at each crossing. Variations in curb radius, available right of way, presence of a buffer or curb ramp, and existing infrastructure make each crossing unique.

1. Placement. The MUTCD 4E.10 provides guidance on the location of pedestrian pushbuttons. The distance from the nearest face of a pushbutton assembly to face of the curb or edge of pavement should be between 1.5 ft and 6 ft and should not be greater than 10 ft. Although these guidelines are not requirements for ADA compliance, placement that falls outside these guidelines should be documented as a Technical Inquiry with the ADA Technical Advisory Committee. The ADA requirements are relative to access to the pedestrian pushbutton in its final location.

Where two APS pushbutton assemblies are closer than 10 ft., special features must be included in accordance with IMUTCD 4E.10 and sections 805 and 922.04(b) of the Standard Specifications.

2. Side Reach. The maximum unobstructed side reach distance is 10 in. Designers should be mindful of guardrail, curb, or other obstructions that may affect the available side reach. Pushbutton extensions up to 12 in. may be used to meet the requirements.
3. Mounting Height. The actuator must be mounted between 42 and 48 inches.



4. Pushbutton Clear Space. A clear space, similar to a curb ramp turning space must be provided adjacent the pushbutton assembly.

Minimum dimensions are 4 ft by 4 ft. The pushbutton clear space may overlap a curb ramp turning space. ***Be on the lookout for obstructions such as curb, slopes, guardrail, or unimproved surfaces that may obstruct access to the pushbutton assembly.***

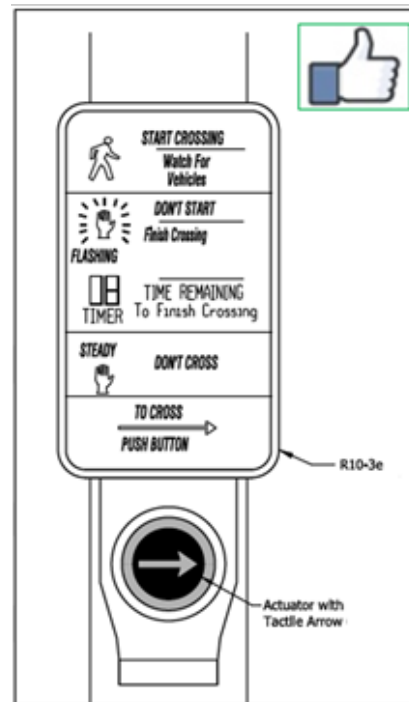


Photo: ADOT



Photo: FHWA

5. Actuator. The actuator must be at least 2 in. in diameter with a tactile arrow and contrast with the housing. Fingertip pushbuttons are not acceptable.



APPENDIX C

**SUMMARY OF THE INVENTORY AND
RECOMMENDATIONS**

FOR CURB RAMPS AND SIDEWALKS

Town of Richland, IN

ADA Transition Plan

Summary of Inventory and Recommendations

Curb Ramps and Sidewalks

10/14/2020

No.	Street 1 (Typ E/W Street)	Street 2 (Typ N/S Street)	# of Ramps	Ldg	DW	PS	Obs	Sdw	Cnt	XSL	Priority	FY	Return Date	Curb Ramp Costs	Sidewalk Costs	Cross-Walk Costs	Signal Costs	Total Costs
1																		
2																		
3																		
4																		
5																		
6																		
7																		
8																		
9																		
10																		
11																		
12																		
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27																		
28																		
29																		
30																		

Code	Description
# of Ramps	Number of ramps present in the intersection.
Ldg	Number of landings, flat areas of at least 4 ft. x 4 ft. above the curb ramp
DW	Number of detectable warning surfaces provided
PS	Number of Passing Space Issues: at least 4 ft. of clearance along the sidewalk needed
Obs	Number of obstructions that make it difficult to traverse or pass around them
Sdw	Number of sidewalk present from the intersection
Cnt	Number of sidewalk continuous to the next intersection
XSL	Number of Cross Slope Issues (ex. ramp slope is excessive)

ADA INVENTORY OF CURB RAMPS AND SIDEWALKS

LPA: _____ Date: _____ Name/ ID: _____

INTERSECTION DESCRIPTON: _____

N/S Coord: _____ E/W Coord: _____ Return Date: _____

7				8			
Rmp	Y		N	Rmp	Y		N
Ldg	Y		N	Ldg	Y		N
Arc	Y		N	Arc	Y		N
DW	Y		N	DW	Y		N
PS	Y		N	PS	Y		N
Obs	Y		N	Obs	Y		N
Sdw	Y		N	Sdw	Y		N
Cnt	Y		N	Cms	Y		N
XSL	Y		N	XSL	Y		N

7

W =

Utility Strip ? Y | N

8

W =

Utility Strip ? Y | N

1

W =

Utility Strip ? Y | N

2

W =

Utility Strip ? Y | N

5

W =

Utility Strip ? Y | N

6

W =

Utility Strip ? Y | N

3

W =

Utility Strip ? Y | N

6				5			
Rmp	Y		N	Rmp	Y		N
Ldg	Y		N	Ldg	Y		N
Arc	Y		N	Arc	Y		N
DW	Y		N	DW	Y		N
PS	Y		N	PS	Y		N
Obs	Y		N	Obs	Y		N
Sdw	Y		N	Sdw	Y		N
Cnt	Y		N	Cms	Y		N
XSL	Y		N	XSL	Y		N

5

W =

Utility Strip ? Y | N

4

W =

Utility Strip ? Y | N

4				3			
Rmp	Y		N	Rmp	Y		N
Ldg	Y		N	Ldg	Y		N
Arc	Y		N	Arc	Y		N
DW	Y		N	DW	Y		N
PS	Y		N	PS	Y		N
Obs	Y		N	Obs	Y		N
Sdw	Y		N	Sdw	Y		N
Cnt	Y		N	Cms	Y		N
XSL	Y		N	XSL	Y		N

Legend			
Rmp	Ramp Present	Obs	Obstruction(s) Found
Ldg	Landing Present	Sdw	Sidewalk Present
Arc (A)	Ramp on Arc (Blended Transition)	Cnt	Continuous Surface
DW	Detectable Warning Area Present	XSL	Cross Slope Appears Adequate
PS	Passing Space Adequate		
		w	Width of Sidewalk

Sketch Plan / Notes

N

ADA INVENTORY OF CURB RAMPS AND SIDEWALKS

These are the instructions for completing the ADA Inventory of Curb Ramps and Sidewalks using INDOT’s Work Management System (WMS) instructions:

- 1. Complete the owner/location information at the top of the form
 - a) Name of LPA
 - b) Date survey is made
 - c) Name or ID of person completing inventory
 - d) Brief intersection description (ex. First St. and Maple Ave.)
 - e) Location in world coordinates Latitude/Longitude (ie. N/S and E/W)
 - 1) (ONLY INSERT ONE LAT/LONG PER INTERSECTION)
 - f) For the “Return Date”, enter the date to re-visit the site, if needed in order to confirm and measure the items thought to be in compliance.
- 2. Street Intersection Diagram
 - a) Show street names
 - b) Draw line(s) across intersection for a Tee intersection and show “X” for street name box. Follow the dashed lines shown if needed.
 - c) Feel free to draw a sketch of the intersection in the box provided at the bottom of the form.
 - d) Show street widths in the boxes provided, if known/measured
- 3. Sidewalk Widths. Show sidewalk widths in the box with a “w = “, if known/measured
- 4. In the boxes with “Utility Strip? Circle “Y” for Yes if there is a grass/gravel/other separation between the street and the sidewalk. Some sidewalks may be located immediately next to the street/back of curb. In that case, circle “No”.
- 5. All information is required to ensure that all Public Rights of Way Accessibility Guidelines (PROWAG) are addressed. Once the LPA has ADA Inventory data to upload:
 - a) Log into ITAP to upload the data on the ITAP website by clicking in the upper left corner of the page after login.
 - b) After completing the ADA Inventory, prioritize what public right of way has greater pedestrian traffic and need.
 - c) These priorities should guide the priority list for correction or replacement in the LPA Transition Plan
 - d) Run a report in WMS for transition priorities. Make a list of sites to visit to enter the data in for the sites believed to be compliance.
- 6. The Inventory Form is set up so that the LPA can show if the curbs and sidewalks are compliant. Each quadrant of an intersection has been given a number for the curb ramp and also the sidewalk leading to the curb ramp. If the sidewalks from each direction lead to a single curb ramp located on the curved portion of the curb radius, it will be noted with an “A”. A legend of the codes is shown below with their respective description for Yes/No questions.

Legend for Form (Circle Y (Yes) or N (No) for each)

<u>Code</u>	<u>Name</u>	<u>Description</u>
Rmp	Ramp Present?	Is there a ramp present for this sidewalk?
Ldg	Landing Present?	Is there a flat area of at least 4 ft. x 4 ft. above the curb ramp?
Arc (A)	Ramp on Arc (Blended Transition)?	Do sidewalks come together at a single ramp on the curve?
DW	Detectable Warning Area Present?	Is a detectable warning surface provided (raised domes)?
PS	Passing Space Adequate?	Is there at least 4 ft. of clearance along the sidewalk? This may be a pole or other obstruction located on the sidewalk.
Obs	Obstruction(s) Found?	Are there obstructions (see “Obs” above) that make it difficult to pass around them? If the curb ramp surface is not flush with the pavement, the pavement or curb may create an obstruction.
Sdw	Sidewalk Present?	Is a sidewalk present from the intersection on?
Cnt	Continuous Surface?	Is the sidewalk continuous to the next intersection?
XSL	Cross Slope Appears Adequate?	Is the cross slope of the sidewalk or ramp excessive? Over ¼ inch per foot across a sidewalk? Over 1 inch per foot for a curb ramp?
w	Width of Sidewalk?	What is the width of the sidewalk?

*LPA-Local Public Agency

ADA INVENTORY OF CURB RAMPS AND SIDEWALKS

SELF-EVALUATION CHECKLIST	
ISSUE	Possible Barriers
Sidewalk and Pathway Clear Width	Narrow, Below Guidelines
Sidewalk and Pathway Cross Slope	Steepness, Irregularity, Variability, Warping
Landings Along Sidewalks and Pathways	Less Than 4 feet by 4 feet
Sidewalk and Pathway Grade	Steepness, Angle Points
Materials and Finishes	Deterioration of Surfaces, Deterioration of Markings, Appropriateness of material (ex. Cobblestones)
Gratings	Grating Type, Grate Opening Orientation
Discontinuities	Missing Sections, Gaps, Drops, Steps
Detectable Warning System	Missing, Inappropriate Materials, Inadequate Size, Wrong Location
Obstructions	Signs, Mail Boxes, Fire Hydrants, Benches, Telephones, Traffic Signal Poles, Traffic Signal Controller Boxes, Newspaper Boxes, Drainage Structures, Tree Grates, Pole Mounted Objects, Standing Water, Snow or Ice
Traffic Signal Systems	Lack of Provision for the Visually Impaired such as APS, Inadequate Time Allowed, Inoperable Buttons, Inaccessible Buttons
Curb Ramp	Missing, Doesn't Fall within Marked Crosswalk, Doesn't Conform to Guidelines
Curb Ramp Flares	Missing Where Required, Too Steep

Chapter 1.40

APPLICATIONS AND PERMITS FOR COMMUNICATION SERVICES

Sections:

1.40.010 Point of Contact

1.40.020 Applications

1.40.030 Inspections

1.40.040 Authorization

1.40.010 Point of Contact. The point of contact for all matters related to issuing permits for communication services shall be the Town Clerk-Treasurer. (Ord. Unnumbered, S1, June 15, 2016)

1.40.020 Applications. All applications related to a project shall be reviewed and either approved or rejected within ten (10) business days after an application is submitted. (Ord. Unnumbered, S2, June 15, 2016)

1.40.030 Inspections. All inspections, including necessary approval, related to a project shall occur in a timely and expeditious manner. (Ord. Unnumbered, S3, June 15, 2016)

1.40.040 Authorization. Authorization for all forms, applications and documentation related to a project may be filed and signed by electronic means. (Ord. Unnumbered, S4, June 15, 2016)

Chapter 1.50

FAIR HOUSING ORDINANCE

Sections:

- 1.50.010 Policy Statement**
- 1.50.020 Definitions**
- 1.50.030 Unlawful Practice**
- 1.50.040 Discrimination in the Sale or Rental of Housing**
- 1.50.050 Discrimination in Residential Real Estate-Related Transactions**
- 1.50.060 Discrimination in the Provision of Brokerage Service**
- 1.50.070 Interference, Coercion, or Intimidation**
- 1.50.080 Prevention of Intimidation**
- 1.50.090 Exemptions**
- 1.50.100 Administrative Enforcement of Ordinance**
- 1.50.110 Separability of Provisions**

1.50.010 Policy Statement. It shall be the policy of the Town of Richland to provide, within constitutional limitation, for fair housing throughout its corporate limits as provided for under the federal Civil Rights Act of 1968, as amended, the federal Housing and Community Development Act of 1974, as amended, and Indiana Code 22-9.5-1 et.seq. (Ord. 2013-02, S1, July 10, 2013)

1.50.020 Definitions. The definitions set forth in this section shall apply throughout this chapter:

- (1) Dwelling means any building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as, a residence by one (1) or more families; or any vacant land which is offered for sale or lease for the construction or location of a building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as a residence by one (1) or more families (I.C. 22-9.5-2-8).
- (2) Family includes a single individual (I.C. 22-9.5-2-9), with the status of such family being further defined in subsection (8) of this section. Also, pursuant to 24 CFR Part 5, the definition of “family” is revised to include families regardless of the actual or perceived sexual orientation, gender identity, or marital status of its members.
- (3) Person (I.C. 22-9.5-2-11), includes one (1) or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, non-incorporated organizations, trustees, trustees in cases under Title 11 of the United States Code, receivers, and fiduciaries.

- (4) To Rent (I.C. 22-9.5-2-13), includes to lease, to sublease, to let and otherwise to grant for a consideration the rights to occupy the premises owned by the occupant.
- (5) Discriminatory Housing Practice means an act that is unlawful under sections 1.50.040, 1.50.050, 1.50.060, 1.50.070 or 1.50.080 of this chapter or I.C. 22-9.5-5.
- (6) Handicap means, with respect to a person:
 - A. A physical or mental impairment which substantially limits one or more of such person's major life activities.
 - B. A record of having such an impairment, or
 - C. Being regarded as having such an impairment,
 - D. An impairment described or defined pursuant to the federal Americans with Disabilities Act of 1990.
 - E. Any other impairment defined under I.C. 22-9.5-2-10.

The term 'Handicap' shall not include current illegal use of or addictions to a controlled substance as defined in Section 802 of Title 21 of the United States Code (I.C. 22-9.5-2-10(b); nor does the term 'Handicap' include an individual solely because that individual is a transvestite (I.C. 22-9.5-2-10(c).

- (7) An Aggrieved Person includes any person who (I.C. 22-9.5-2-2):
 - A. Claims to have been injured by a discriminatory housing practice; or
 - B. Believes that such person will be injured by a discriminatory housing practice that is about to occur.
- (8) Familial Status means one or more individuals who have not attained the age of 18 years being domiciled with a parent or another person having legal custody of such individual or the written permission of such parent or other person.

The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

- (9) Commission (I.C. 22-9.5-2-3) means the Indiana Civil Rights Commission created pursuant to I.C. 22-9-1-4, et. seq.

- (10) Complainant (I.C. 22-9.5-2-4) means a person, including the Commission, who files a complaint under I.C. 22-9.5-6. (Ord. 2013-02, S2, July 10, 2013)

1.50.030 Unlawful Practice. Subject to the provisions of subsection (2) of this section, section 1.50.090 of this chapter and Title 22-9.5-3 of Indiana Code, the prohibitions against discrimination in the sale or rental of housing set forth Title 22-9.5-5-1 of Indiana Code and in section 1.50.040 of this chapter shall apply to:

- (1) All dwellings except as exempted by subsection (2) and Title 22-9.5-3 of Indiana Code.
- (2) Other than the provisions of subsection (3) of this section, nothing in section 1.50.040 shall apply to:
 - A. Any single-family house sold or rented by an owner where the private individual owner does not own more than three such single-family houses at any one time; provided that in the sale of such single-family house by a private individual owner not residing in the house at the time of sale or exemption shall apply only to one such sale within any twenty-four (24) month period. The private individual owner may not own any interest in, nor have owned or reserved on his behalf, title to or any right to all or a portion of the proceeds from the sale or rental of more than three such single-family houses at any one time. The sale or rental of any such single-family house shall be exempted from application of this section only if such house is sold or rented:
 1. without the use in any manner of the sales or rental facilities or services of any real estate broker, agent or salesman, or any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent or salesman, or person and
 2. without the publication, posting or mailing, after notice of advertisement or written notice in violation of section 1.50.040(3) of this chapter, but noting in this provision shall prohibit the use of attorneys, escrow agents, abstracters, title companies and other such professional assistance as necessary to perfect or transfer this title, or
 - B. Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.
- (3) For the purposes of subsection (2), a person shall be deemed to be in the business of selling or renting dwellings if:

- A. They have, within the preceding twelve (12) months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein, or
- B. They have, within the preceding twelve (12) months, participated as agent, other than in the sale of his own personal residence, in providing sales or rental facilities or services in two or more transactions involving the sale or rental of any dwelling or any interest therein, or
- C. They are the owner of any dwelling unit designed or intended for occupancy by, or occupied by, five (5) or more families. (Ord. 2013-02, S3, July 10, 2013)

1.50.040 Discrimination in the Sale or Rental of Housing. As made applicable by section 1.50.030 and except as exempted by section 1.50.030(2) and 1.50.090, it shall be unlawful:

- (1) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, handicap, familial status or national origin.
- (2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, handicap, familial status or national origin.
- (3) To make, print, or publish, or cause to be made, printed, or published any notice, statement or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status or national origin, or an intention to make any such preference, limitation or discrimination.
- (4) To represent to any person because of race, color, religion, sex, handicap, familial status or national origin that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.
- (5) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, handicap, familial status or national origin.
- (6) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap of:

- A. that buyer or renter;
 - B. a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or
 - C. any person associated with that person.
- (7) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of:
- A. that person; or
 - B. a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or
 - C. any person associated with that person.
- (8) For purposes of this subsection, discrimination includes:
- A. a refusal to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises except that, in the case of a rental, the landlord may where it is reasonable to do so condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modifications, reasonable wear and tear excepted;
 - B. a refusal to make reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling; or
 - C. in connection with the design and construction of covered multi-family dwellings for first occupancy after the date that is 30 months after September 13, 1998, a failure to design and construct those dwellings in such a manner that;
 - 1. the public use and common use portions of such dwellings are readily accessible to and usable by handicapped persons;
 - 2. all the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and

3. all premises within such dwellings contain the following features of adaptive design:
 - (a) an accessible route into and through the dwelling;
 - (b) light, switches, electrical outlets, thermostats, and other environmental controls in accessible location;
 - (c) reinforcements in bathrooms such that an individual in a wheelchair can maneuver about the space.

Compliance with the appropriate requirement Americans with Disabilities Act of 1990 and of the American National Standard for Buildings and Facilities providing accessibility and usability for physically handicapped people (commonly cited as ANSI A117.1) suffices to satisfy the requirements of paragraph (3)(C)(c).

Nothing in this subsection requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others. (Ord. 2013-02, S4, July 10, 2013)

1.50.050 Discrimination in Residential Real Estate-Related Transactions.

- (1) It shall be unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of race, color, religion, sex, handicap, familial status, or national origin.
- (2) As used in this section, the term residential real estate-related transaction means any of the following:
 - A. The making or purchasing of loans or providing other financial assistance:
 1. for purchasing, constructing, improving, repairing, or maintaining a dwelling; or
 2. secured by residential real estate.
 - B. The selling, brokering, or appraising of residential real property.
- (3) Nothing in this chapter prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other

than race, color, religion, national origin, sex, handicap, or familial status.
(Ord. 2013-02, S5, July 10, 2013)

1.50.060 Discrimination in the Provision of Brokerage Service. It shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such success, membership, or participation, on account of race, color, religion, sex, handicap, familial status or national origin. (Ord. 2013-02, S6, July 10, 2013)

1.50.070 Interference, Coercion, or Intimidation. It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by section 1.50.030, 1.50.040, 1.50.050 or 1.50.060 of this chapter. (Ord. 2013-02, S7, July 10, 2013)

1.50.080 Prevention of Intimidation. Whoever, whether or not acting under code or law, by force or threat of force willfully injures, intimidates or interferes with, or attempt to injure, intimidate or interfere with:

- (1) any person because of his race, color, religion, sex, handicap, familial status, or national origin and because he is or has been selling, purchasing, renting, financing, occupying, or contracting or negotiating for the sale, purchase, rental, financing or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or renting dwellings; or
- (2) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from:
 - A. participating, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations or facilities described in subsection (1); or
 - B. affording another person or class of persons opportunity or protection so to participate; or
- (3) any citizen because he is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations or facilities described in subsection (1), or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to participate shall be fined according to local, state and federal law; and if bodily injury results shall be fined not more than \$10,000 or imprisoned not

more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life. (Ord. 2013-02, S8, July 10, 2013)

1.50.090 Exemptions.

- (1) Exemptions defined or set forth under Title 22-9.5-3 et. seq. of Indiana Code shall be exempt from the provisions of this chapter to include those activities or organizations set forth under subsections (2) and (3) of this section.
- (2) Nothing in this chapter shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color or national origin. Nor shall anything in this chapter prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodging to its members or from giving preference to its members.
- (3) Nothing in the chapter regarding familial status shall apply with respect to housing for older persons. As used in this section, 'housing for older persons' means housing:
 - A. provided under any state or federal program that the Secretary of the Federal Department of Housing and Urban Development or the state civil rights commission determines is specifically designed and operated to assist elderly person (as defined in the state or federal program) or;
 - B. intended for, and solely occupied by, person 62 years of age or older; or
 - C. intended and operated for occupancy by at least one person 55 years or age or older per unit. (Ord. 2013-02, S9, July 10, 2013)

1.50.100 Administrative Enforcement of Ordinance.

- (1) The authority and responsibility for properly administering this chapter and referral of complaints hereunder to the Commissioner as set forth in subsection (2) hereof shall be vested in the Chief Elected Official of the Town of Richland, Indiana.

- (2) Notwithstanding the provisions of I.C. 22-9.5-4-8, the Town of Richland, Indiana, because of lack of financial and other resources necessary to fully administer enforcement proceedings and possible civil actions under this chapter, herein elects to refer all formal complaints of violation of the articles of this chapter by complainants to the Indiana Civil Rights Commission for administrative enforcement actions pursuant to Title 22-9.5-6 of Indiana Code and the Chief Elected Official of the Town of Richland, Indiana, shall refer all said complaints to the Commission as provided for under subsection (1) of this section to said Commission for purposes of investigation, resolution and appropriate relief as provided for under Title 22-9.5-6 of Indiana Code.
- (3) All executive departments and agencies of the Town of Richland, Indiana shall administer their departments, programs and activities relating to housing and urban development in a manner affirmatively to further the purposes of this chapter and shall cooperate with the Chief Elected Official and the Commission to further such purposes.
- (4) The Chief Elected Official of the Town of Richland, Indiana, or the Chief Elected Official's designee, shall provide information on remedies available to any aggrieved person or complainant requesting such information. (Ord. 2013-02, S10, July 10, 2013)

1.50.110 Separability of Provisions. If any provision of this chapter or the application thereof to any person or circumstances shall be determined to be invalid, the remainder of this chapter and the application of its provisions to other persons not similarly situated or to other circumstances shall not be affected thereby. (Ord. 2013-02, S11, July 10, 2013)

Chapter 1.60

USAGE OF EQUIPMENT OWNED BY THE TOWN

Sections:

1.60.010 Equipment

1.60.020 Exceptions

1.60.010 Equipment. All equipment purchased by, and owned by, the Town of Richland shall be used for the sole purpose of maintenance and projects undertaken by and for the Town of Richland. There shall be no personal usage by anyone. (Res. 2018-001, 2018)

1.60.020 Exceptions. Any exception to the above stated chapter shall be by approval of the Town Board only or their designated representative. (Res. 2018-001, 2018)

Chapter 1.79

MOTOR VEHICLE HIGHWAY FUND-ALLOCATED (709) AND RENAMING THE CURRENT MOTOR VEHICLE HIGHWAY FUND (708)

Sections:

1.79.005 Preamble

1.79.010 Motor Vehicle Highway Fund - Unallocated (708)

1.79.020 Motor Vehicle Highway Fund - Allocated (709)

1.79.005 Preamble.

- (1) The Indiana General Assembly, through House enrolled Act 1002-Public Law 218-2017 has modified Indiana Code 8-14-1-5.
- (2) Indiana Code 8-14-1-5 now requires at least fifty percent (50%) of all Motor Vehicle Highway distributions received after June 30, 2017 be spent on construction, reconstruction, and maintenance of highways as defined in Indiana Code 8-14-1-1.
- (3) The Indiana State Board of Accounts has informed municipalities of the need to document expenditures of Motor Vehicle Highway distributions to ensure compliance with the law.
- (4) The Town of Richland currently has a Motor Vehicle Highway Fund, 708.
- (5) Indiana Code 36-1-3 provides for the establishment of funds for accounting purposes. (Ord. 2017-1, Preamble, July 12, 2017)

1.79.010 Motor Vehicle Highway Fund - Unallocated (708). The “Motor Vehicle Highway Fund” (708) be renamed “Motor Vehicle Highway Fund” - Unallocated (708).

- (1) The fund will receive fifty percent (50%) of all state of Indiana Motor Vehicle Highway distributions received after June 30, 2017.
- (2) The fund will retain any cash balance including investment income and interest as of June 30, 2017.
- (3) The fund will receive all miscellaneous revenues related to either Motor Vehicle Highway Funds allocated or unallocated.
- (4) The Fund will be used for any legal expenditure of motor vehicle highway dollars. (Ord. 2017-1, S1, July 12, 2017)

1.79.020 Motor Vehicle Highway Fund - Allocated (709). The “Motor Vehicle Highway Fund” - Allocated (709) (“Allocated”) is created.

- (1) The Allocated Fund will receive fifty percent (50%) of all state of Indiana Motor Vehicle Highway distributions received after June 30, 2017.
- (2) The Allocated Fund will be used solely for construction, reconstruction, and maintenance of highways as defined in Indiana 8-14-1-1.
- (3) The allocated fund balances will remain in the fund and will not revert to the Unallocated Fund.
- (4) The Allocated Fund balances will not be eligible for transfer to the Rainy Day Fund. (Ord. 2017-1, S2, July 12, 2017)

Chapter 1.80

LOIT SPECIAL DISTRIBUTIONS FUND

Sections:

1.80.010 Establishment

1.80.020 Expenditures

1.80.030 Appropriation Process

1.80.010 Establishment. The Town Council of the Town of Richland, Indiana that the need now exists for the establishment of a LOIT Special Distribution fund. (Ord. 2016-03, June 15, 2016)

1.80.020 Expenditures. Expenditures from this fund are restricted to allowable purposes per I.C. 6-3.6-9-177 (h)(1)(A) as follows:

- (1) Engineering, land acquisition, construction, resurfacing, maintenance, restoration, or rehabilitation of both local and arterial road and street systems.
- (2) The payment of principal and interest bonds sold to finance roads, streets, or throughfare projects.
- (3) Any local costs required to undertake a recreational or reservoir road project under IC 8-23-5.
- (4) The purchase, rental, or repair of highway equipment.
- (5) Providing a match for a grant from the local road and bridge matching grant fund under IC 8-23-30.
- (6) Capital projects of a board of aviation commissioners established under IC 8-22-2 or an airport authority established under IC 8-22-3-1. (Ord. 2016-03, June 15, 2016)

1.80.030 Appropriation Process. The fund shall be subject to the same appropriation process as other municipal funds. (Ord. 2016-03, June 15, 2016)

Chapter 1.81

ARP CORONAVIRUS LOCAL FISCAL RECOVERY GRANT FUND (FUND 176)

Sections:

1.81.010 Need

1.81.020 Sources of Funding

1.81.030 Requirements

1.81.010 Need. The Town Council of the Town of Richland, Spencer County, Indiana, recognizes that a need now exists for the establishment of the ARP Coronavirus Local Fiscal Recovery Grant Fund (Fund 176) pursuant to Indiana Code 5-11. (Ord. 2021-02, S1, May 5, 2021)

1.81.020 Sources of Funding. The sources of funding for the newly established fund will include monies allocated to the Town from the American Rescue Plan Act of 2021 (ARPA). The monies within this fund shall be used for eligible purposes of the ARPA. (Ord. 2021-02, S2, May 5, 2021)

1.81.030 Requirements. Funds receipted into this Fund will require an additional appropriation (Town Council approval) and the Fiscal Officer will review the requested use of monies for compliance with ARPA requirements. The Fiscal Officer will also maintain detailed accounting record of the fund to provide for future audits of the ARP fund. (Ord. 2021-02, S3, May 5, 2021)