



## AMERICANS WITH DISABILITIES ACT (ADA) POLICIES AND PROCEDURES

### **I. The City of Pembroke Pines Anti-Discrimination Policy and Statement**

The City of Pembroke Pines (“City”) does not tolerate discrimination on the basis of disability in any of its programs, services, employment, or activities. The City is fully committed to ensuring that no person is excluded from participation in, denied the benefits of, or subjected to discrimination or retaliation on the basis of disability. The City is committed to serving the needs of all of its residents and visitors. The City does not tolerate discrimination in any form and adheres to all local, state, and federal anti-discrimination laws.

It is the City’s policy to provide equal opportunity to qualified individuals with disabilities. In accordance with 28 C.F.R.§ 35.130(b)(1)(i)-(iv),(vii), the City shall not discriminate against qualified individuals on the basis of disability, including applicants, participants, members of the public, and companions, regarding admission, access, or operations associated with any of the City’s facilities, programs, services, and activities. The City’s facilities, programs, services, and activities are readily accessible to and usable by qualified individuals with disabilities.

The City shall not deny a qualified individual with a disability the opportunity to participate in and benefit from City programs, services, and activities (including volunteer activities) that are not equally afforded to others. The City shall not limit or separate a qualified individual with a disability from enjoying any right, privilege, or advantage enjoyed by other individuals receiving such aid, benefit, or service. The City will ensure access to its advisory boards and public involvement activities by the disabled community and disability service groups.

The City shall not impose or apply eligibility criteria that screen out or tend to screen out individuals with disabilities or any class of individuals with disabilities from fully and equally enjoying any service, program, or activity, unless such criteria can be shown to be necessary for the provision of the service, program, or activity being offered. 28 C.F.R.§ 35.130(b)(8).

It shall be the responsibility of the City’s ADA Compliance Coordinator in any situation where eligibility and safety standards may limit or exclude the participation of individuals on the basis of disabilities to review the standards and their application, ensure that mitigating measures are reviewed and implemented, when possible, to reduce the hazard or threat to the safety of individuals with disabilities and other participants in the program, and provide for the participation of individuals with disabilities to the greatest extent possible.

The City shall administer its services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities. This policy does not prohibit the establishment of separate programs for individuals with disabilities. The City is prohibited from denying qualified individuals with disabilities to participate in programs, services, and activities that are not separate or different, despite the existence of permissible separate or different services, programs, or activities. 28 C.F.R. § 35.130(b)(2);(d).

The City shall not place a surcharge on qualified individuals with disabilities or any group of individuals with disabilities to cover the costs of measures, such as the provision of auxiliary aids or program accessibility, that are required to provide those individuals or groups with nondiscriminatory treatment. The City shall not exclude or otherwise deny equal services, programs, or activities to an individual or entity because of the known disability of an individual with whom the individual or entity is known to have a relationship or association. 28 C.F.R. § 35.130(f)-(g).

The City is not required to take any action that would pose an undue financial or administrative burden on to the City or take any action that would be deemed to fundamentally alter the nature of any City program, service, or activity.

## **II. Reasonable Accommodations and Modifications**

The City will provide reasonable accommodations to disabled individuals who wish to participate in the City's programs, services, and activities or who otherwise may require special assistance to access the City's facilities, programs, services, and activities. Providing a reasonable accommodation may require outside assistance and/or resources. As such, the City asks that all requests for accommodation be made at least seven (7) calendar days prior to the requested need for accommodation.

All requests for accommodation and questions, concerns, and inquiries regarding requests for accommodation should be directed, in writing, to the City's designated ADA Compliance Coordinator:

Daniel Rotstein  
Assistant City Manager/Human Resources and  
Risk Management Director  
601 City Center Way  
3<sup>rd</sup> Floor  
Pembroke Pines, FL 33025  
954-392-2092  
Email: [drotstein@ppines.com](mailto:drotstein@ppines.com)

The City is not required to make accommodations that would pose an undue financial or administrative burden on to the City or take any action that would be deemed to fundamentally alter the nature of any City program, service, or activity.

The City will make reasonable modifications to policies, practices, and procedures when necessary to provide equal opportunity to qualified individuals with disabilities unless making a modification would fundamentally alter the nature of the program, service, or activity. 28 C.F.R. § 35.130(b)(7).

### **III. The City's ADA Complaint Procedure**

The City encourages its residents and visitors to report any facility, program, service, or activity that appears inaccessible to a disabled individual. The City has established an ADA complaint procedure and will take reasonable and prompt action to investigate any complaint levied in connection with access to the City's facilities, programs, services, and activities.

This complaint 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 the City's services, activities, programs, or benefits. 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.

The complaint should be submitted as soon as possible, preferably within 60 calendar days of the alleged violation to:

Daniel Rotstein  
Assistant City Manager/Human Resources and  
Risk Management Director  
601 City Center Way  
3<sup>rd</sup> Floor  
Pembroke Pines, FL 33025  
954-392-2092  
Email: [drotstein@ppines.com](mailto:drotstein@ppines.com)

Within approximately 15 calendar days after receipt of the complaint, Daniel Rotstein, ADA Compliance Coordinator, will meet with the complainant to discuss the complaint and the possible resolutions. Within approximately 15 calendar days of the meeting, Daniel Rotstein will respond in a format that is accessible to the complainant, such as large print,

Braille, or audio tape. The response will explain the City's position and offer options for substantive resolution of the complaint.

If the response by Daniel Rotstein does not satisfactorily resolve the issue, the complainant may appeal the decision within approximately 15 calendar days after receipt of the response to City Manager Charles F. Dodge.

Within approximately 15 calendar days after receipt of the appeal, City Manager Charles F. Dodge or designee will meet with the complainant to discuss the complaint and possible resolutions. Within approximately 15 calendar days after the meeting, the City Manager or designee will respond in a format accessible to the complainant, with a final resolution of the complaint.