



**CITY OF HARRISONBURG DEPARTMENT OF PUBLIC UTILITIES**

**Americans with Disabilities Act**

**ACCESS FOR MEMBERS OF THE PUBLIC WITH DISABILITIES**

The City of Harrisonburg Department of Public Utilities (Public Utilities) is committed to and promotes both equal access and fair participation of members of the public with disabilities in all its programs, services, and activities.

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act, the City of Harrisonburg does not discriminate against qualified individuals with disabilities on the basis of disability.

Public Utilities promotes the full and fair participation of members of the public with disabilities in all of its programs, services, and activities. Public Utilities is committed to both equal access and full participation of people with disabilities in its programs, services, and activities.

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act, Public Utilities does not discriminate against qualified individuals with disabilities on the basis of disability.

**Nondiscrimination**

The Harrisonburg Department of Public Utilities will not, in any of its programs, services, or activities:

- Deny a qualified person, on the basis of disability, the opportunity to participate in and benefit from programs, services, and activities that are not equal to that afforded to others;
- Impose eligibility criteria that screen out or tend to screen out individuals on the basis of disability from enjoying any program, service, or activity unless the criteria are necessary for the provision of the program, service, or activity;
- Make unnecessary inquiries into the existence of a disability;
- Impose surcharges on people with disabilities for any costs of compliance with the ADA

and Section 504;

- Otherwise limit or separate a qualified person, on the basis of disability, in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by other people.

This policy does not require Public Utilities to undertake any action that would fundamentally alter the nature of its programs, services, or activities, that would pose a direct threat to the health or safety of participants in those programs, services, or activities. Public Utilities may impose legitimate safety requirements necessary for the safe operation of its services, programs, or activities.

### **Effective Communication**

Public Utilities is committed to ensuring people with disabilities, including those with speech, hearing, or vision disabilities, receive “effective communication” so they can participate equally in City programs, services, and activities.

Upon request, Public Utilities will take appropriate steps to provide auxiliary aids and services when necessary to ensure effective communication for qualified people with disabilities, including applicants and participants, unless doing so would cause an undue burden or fundamental alteration for Public Utilities.

Public Utilities is committed to ensuring people with disabilities, including those with speech, hearing, or vision disabilities, receive “effective communication” so they can participate equally in Public Utilities’ programs, services, and activities.

Upon request, Public Utilities will take appropriate steps to provide auxiliary aids and services when necessary to ensure effective communication for qualified people with disabilities, including applicants and participants, unless doing so would cause an undue burden or fundamental alteration for Public Utilities.

Auxiliary aids and services will be provided at no cost to the person with a disability. The type of auxiliary aid or service necessary to ensure effective communication will vary depending on the length and complexity of the communication involved. In choosing among possible auxiliary aids or services, Public Utilities will give primary consideration to the choice of the person with a disability unless it can show that another equally effective means of communication is available.

- Examples of auxiliary aids and services for people who are deaf or hard of hearing include qualified interpreters, notetakers, computer-aided transcription services, written materials, telephone handset amplifiers, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons (TDDs), videotext displays, and exchange of written notes.

- Examples for individuals with vision impairments include qualified readers, taped texts, audio recordings, Braille materials, large print materials, and assistance in locating items.
- Examples for individuals with speech impairments include TDDs, computer terminals, speech synthesizers, and communication boards.

Public Utilities will attempt to provide effective communication in a timely way that protects the privacy and independence of the person with a disability. Public Utilities will not require a person accompanying a person with a disability to interpret or facilitate communication with the person with a disability, except:

- (1) In emergencies involving imminent threat to safety when no other auxiliary aid or service is available, or
- (2) When the person with a disability specifically requests that the companion interpret or facilitate communication, the companion is an adult, the companion agrees to facilitate, and reliance on the companion is appropriate under the circumstances.

**To request auxiliary aids or services, people should contact Public Utilities' Non-Discrimination Coordinator at least 3 days in advance at:**

Micaela Smith, Non-Discrimination Coordinator  
2155 Beery Road, Harrisonburg, Virginia 22801  
(540) 434-9959  
Micaela.Smith@harrisonburgva.gov

**For requests that are not received 3 days in advance, Public Utilities will attempt to provide auxiliary aids or services if possible.**

Denials of requests for auxiliary aids or services should be in writing and explain the right to pursue Public Utilities' Procedure for Non-Employee Discrimination Complaints. The Procedure can be found at the following link: <https://www.harrisonburgva.gov/public-utilities>

### **Reasonable Modifications**

Public Utilities will reasonably modify its policies, practices, or procedures upon request from a qualified person with a disability when the modification is necessary to participate in a Public Utilities program, service, or activity. A reasonable modification is a change or exception to a policy, practice or procedure that allows a person with a disability to have equal access to a Public Utilities program, service, or activity. A request for reasonable modification may not always use the terms "reasonable modification" or "ADA." Any request for a change or exception to a policy, practice or procedure because of a disability should be treated as a request for reasonable modification.

When possible, reasonable modifications should be requested in advance. When requesting a

reasonable modification to a Public Utilities program, service or activity, a person with a disability is generally not required to provide medical documentation but must be able to explain their disability and how it is related to the requested modification.

Public Utilities is not required to grant a modification if doing so would be unreasonable or would fundamentally alter the nature of Public Utilities service, program, or activity. Public Utilities is not required to provide personal or individually prescribed devices or to provide services of a personal nature.

A person with a disability needing a reasonable modification should request the modification as early as possible, at least 24 hours before the need for such a modification arises. For requests that are not received 24 hours in advance, Public Utilities will attempt to provide reasonable modifications if possible.

**Requests for modifications that have little or no cost and pose little or no administrative burden, such as assistance filling out a form, providing a chair, or reading printed materials aloud, can be granted by Public Utilities. More complex modifications should be requested to Public Utilities' Civil Rights Coordinator at:**

Micaela Smith, Non-Discrimination Coordinator  
2155 Beery Road, Harrisonburg, Virginia 22801  
(540) 434-9959  
Micaela.Smith@harrisonburgva.gov

Public Utilities may not decline to provide the requested accommodation without consulting Public Utilities' Non-Discrimination Coordinator.

Denials of requests for modifications should be in writing and explain the right to pursue Public Utilities' Procedure for Non-Employee Discrimination Complaints. The Procedure can be found at the following link: <https://www.harrisonburgva.gov/public-utilities>

### **Public Notification of Rights**

The Non-Discrimination Coordinator will make continuous efforts to notify the public (including through on-line, print, and other appropriate methods of publication) that Public Utilities provides effective communication and other reasonable modifications to qualified individuals with disabilities.