

**Grievance Procedure
Section 504/ADA**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs, or benefits by the City of Seneca.

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.

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:

BJ Klaren, Building Official
P.O. Box 4773
Seneca, SC 29679

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

If the response by the ADA coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA coordinator within 15 calendar days after the receipt of the response to the Seneca City Council.

Within 15 calendar days after receipt of the appeal, the Seneca City Council will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Council will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA coordinator, appeals to the City Council, and responses from the ADA coordinator and City Council will be kept by the City of Seneca for at least three years.

SELF EVALUATION PLAN City of Seneca, SC

EXECUTIVE SUMMARY

INTRODUCTION

In order to comply with the American With Disabilities Act of July 1990 and Section 504 of the Rehabilitation Act of 1973, this plan was completed as the first step in addressing the requirements the city must meet. The plan is available for review and will be maintained by the City ADA/Section 504 Coordinator for at least three years. The following summary highlights the main points:

ADA/SECTION 504 REQUIREMENTS

Under the Acts, the City of Seneca is required to do the following:

- 1) Designate an ADA/Section 504 Coordinator
- 2) Adopt a grievance procedure
- 3) Complete a self evaluation plan of all programs and activities
- 4) Complete a transition plan identifying structural changes necessary to make programs accessible
- 5) Notify beneficiaries and employees of non-discrimination on the basis of disability
- 6) Retain files on all ADA/Section 504 related activities

The City of Seneca has completed or is in the process of completing each of these requirements.

PROCESS

An ADA/Section 504 Coordinator was appointed by the City Administrator. Departmental coordinators were contacted by the ADA/504 Coordinator and were responsible for listing the programs and services of their respective departments.

A representative of the Appalachian Council of Governments assisted the city in the compilation of information. Each department was surveyed individually to identify programs and possible barriers to those programs. After this information was collected, solutions to all listed barriers were identified. In compliance with the requirements of ADA/504, physical barriers will be dealt with in specific detail as part of the Transition Plan and will not be covered in the Self Evaluation Plan.

The title of this work component is the "City of Seneca Self Evaluation Plan". This plan forms the basis for evaluating and eventually removing barriers to City programs. Used in conjunction with the Transition Plan, this work should serve as a guide for the removal of all barriers to City services.

The categories of the Self Evaluation are as follows:

- 1) Program – Description of Program
- 2) Barrier – Identified barrier
- 3) Solution – How to overcome the barrier
- 4) Date Removed – To monitor progress

FINDINGS

Through completion of the Self Evaluation Plan, many common barriers to program participation were identified. Solutions were recommended to remove these barriers.

COMMON BARRIERS AND SOLUTIONS

- 1) Communication with hearing and/or speech impaired
 - a. Provide auxillary services upon request
 - b. Provide services in a sensitive manner
- 2) Communication with the visually impaired
 - a. Provide alternate formats upon request, such as audio tapes, large print, etc.
 - b. Provide adequate signage for interpretation of accessible routes
- 3) Communication with the cognitively impaired
 - a. Provide sensitivity training for staff
 - b. Provide assistance upon request
- 4) Access to information locations for those having mobility impairments
 - a. Move program to accessible location
 - b. Provide staff assistance upon request

CONCLUSIONS

The purpose of this plan is to help the city comply with ADA/504 standards. This plan should be considered a working document; with each new program, service, or solution to be added as they become apparent. Also, the city will work to continue the process of evaluation with individuals who may have a disability and are willing to contribute their needs, concerns, and personal experiences.

DEFINITION OF SELECTED TERMS

Alternative Format – Material provided to the public in a variety of formats; such as having large print agendas or agendas on audio tape available upon request.

Auxillary Services – A term used in conjunction with “alternative format,” but may also extend to programs that may require some staff assistance.

Multi-media advertising – Advertising in more than one media outlet; such as in a newspaper and by radio for a public meeting. This will be directly affected by the number of media outlets in the area.

Sensitivity training – Create staff awareness of the needs of those having a disability and awareness of local policies for assistance to those having a disability.

DEPARTMENT: CITY HALL
DEPARTMENTS: COUNCIL
CHAMBERS

PROGRAM	BARRIER	SOLUTION	DATE REMOVED	RESPONSIBLE PARTY
Provide and receive information and communication to/from the general public in the form of written materials and audible communication of information by telephone or in person. This information exchange is usually related to municipal codes, ordinances, resolutions, licensing, permits, utility services/payments, City Council meetings/activities, and other business and meetings with city officials.	Persons with physical impairments may not be able to access physical locations at non city hall sites where information or programs are being presented. All public access areas in city hall are accessible.	Ensure physical access through staff assistance and/or building modifications, offer information by mail, or move program/meet with citizens at an alternate location.		ADA Coordinator
	Communication with the visually impaired.	Provide alternate formats upon request, staff assistance, use multi-media advertising, provide written information in alternate formats upon request, sensitivity training for staff.		
	Communication with the hearing impaired by phone or in person.	Provide auxiliary services upon request, provide assistance, TTY machine, sign language person, written communications, sensitivity training for staff, remote hearing devices to be installed in Council Chambers.		
	Communication with those having a speech impairment by phone or in person.	Provide auxiliary services upon request, provide assistance, written communications, sensitivity training for staff.		
	Communication with the cognitively or mentally impaired by phone or in person.	Sensitivity training for staff, communicate in simpler terms and slower manner, utilize Tribble Center personnel to assist.		

DEPARTMENT: MUNICIPAL COURT

PROGRAM	BARRIER	SOLUTION	DATE REMOVED	RESPONSIBLE PARTY
<p>Provide and receive information and communication in the form of written materials and audible communication of information by telephone or in person. This information and/or attendance at court proceedings are in relation to municipal court issues or crimes under the jurisdiction of the municipal court for the city.</p>	<p>Access to courtroom, jury rooms, and restrooms for persons with physical impairments, as witnesses or defendants, may not be accessible</p> <p>Communication with the visually impaired</p>	<p>All court facilities are accessible and were made ADA compliant when the building was remodeled. For any required exceptions, accommodations would be made at an alternate site.</p>		<p>ADA Coordinator</p>
	<p>Communication with the hearing impaired by phone or in person</p>	<p>Provide alternative formats upon request, staff assistance, use multi-media advertising, provide written information in alternative formats upon request, sensitivity training for staff.</p>		
<p>Communication with those having a speech impairment by phone or in person</p>	<p>Communication with those having a speech impairment by phone or in person</p>	<p>Provide auxiliary services upon request, provide assistance, utilize telecommunications relay service, certified sign language interpreter, written communications, sensitivity training for staff.</p>		
<p>Communication with cognitively or mentally impaired</p>	<p>Communication with those having a speech impairment by phone or in person</p>	<p>Provide auxiliary services upon request, provide assistance, written communications, sensitivity training for staff.</p>		
<p>Communication with cognitively or mentally impaired</p>	<p>Communication with cognitively or mentally impaired</p>	<p>Staff sensitivity training, communicate in simpler terms and slower manner.</p>		

DEPARTMENT: FIRE

PROGRAM

Provide and receive information and communication in the form of written materials and audible communication of information by telephone or in person. This information is usually related to fire safety presentations, inspections, fire planning, and children's safety programs. Provide fire protection and related services to the citizens of Seneca.

BARRIER

Persons with physical impairments may not be able to access physical locations at sites where programs and information are presented. Areas open to the public in the fire department are accessible.

SOLUTION

Ensure program access through staff assistance and/or building modifications. Move program or meet with citizens at an alternate site upon request.

DATE
REMOVED

RESPONSIBLE
PARTY
ADA
Coordinator

Communication with those having a hearing impairment by phone or in person.

Provide auxiliary services upon request, provide assistance, TTY machine, sign language person, written communications, sensitivity training for staff.

Communication with those persons having a speech impairment by phone or in person.

Provide auxiliary services upon request, provide assistance, written communications, sensitivity training for staff.

Communication with those persons having a cognitive impairment.

Sensitivity training for staff, communicate in simpler terms and slower manner, utilize Tribble Center personnel to assist.

Communication with the visually impaired.

Provide alternate formats upon request, staff assistance, use multi-media advertising, provide written information in alternative formats upon request, sensitivity training for staff.

DEPARTMENT: POLICE

PROGRAM

Provide and receive information and communication in the form of written materials and audible communication of information by telephone or in person. This information is usually related to non-criminal and criminal incidents, crime reports, programs, and other police related duties and activities. Provide protection to the citizens of Seneca by Police presence and the enforcement of laws

BARRIER

Persons with physical impairments may not be able to access physical locations at sites where programs and information are presented. Public access areas in the Police Dept. are limited but are accessible.

Communication with those having a speech impairment by phone or in person

Communication with the hearing impaired by phone or in person

Communication with the visually impaired

Communication with the cognitively or mentally impaired

SOLUTION

Ensure program access through staff assistance and/or building modifications. Move program or meet with citizens at an alternate site upon request.

Provide auxiliary services upon request, provide assistance, written communications, sensitivity training for staff

Provide auxiliary services upon request, provide assistance, TTY machine, sign language person, written communications, sensitivity training for staff

Provide alternate formats upon request, staff assistance, use multi-media advertising, provide written information in alternative formats upon request, sensitivity training for staff

Staff sensitivity training, communicate in simpler terms and slower manner, utilize Tribble Center personnel to assist

DATE REMOVED

RESPONSIBLE PARTY

ADA Coordinator

DEPARTMENT: STREET,
SANITATION, RECYCLING, AND
MOTOR POOL

PROGRAM	BARRIER	SOLUTION	DATE REMOVED	RESPONSIBLE PARTY
Provide and receive information and communication in the form of written materials and audible communication of information by telephone or in person. This information is usually related to street maintenance, sanitation, and recycling related activities regarding services to citizens and vehicle maintenance activities internally for the city.	Persons with physical impairments may not be able to access physical locations at sites where programs are presented or information is available	Ensure program access through staff assistance, building modification, offer information by mail, or move program/meet citizens at an alternate location		ADA Coordinator
	Communication with those having a speech impairment by phone or in person	Provide auxiliary services upon request, provide assistance, written communications, sensitivity training for staff		
	Communication with the hearing impaired by phone or in person	Provide auxiliary services upon request, provide assistance, TTY machine, sign language person, written communications, sensitivity training for staff		
	Communication with the visually impaired	Provide alternate formats upon request, staff assistance, use multi-media advertising, provide written information in alternative formats upon request, sensitivity training for staff		
	Communication with cognitively or mentally impaired	Staff sensitivity training, communicate in simpler terms and slower manner, utilize Tribble Center personnel to assist. The dept. has two employees with cognitive impairments, from the Tribble Center, working in street maintenance.		

DEPARTMENT: RECREATION

PROGRAM

Provide and receive information and communication in the form of written materials and audible communication of information by telephone or in person. This information is usually related to the administration and operation of recreation programs and activities for football, cheerleading, soccer, baseball, softball, and basketball.

BARRIER

Persons with physical impairments may not be able to access physical locations at sites where programs and information are presented.

Communication with those having a speech impairment by phone or in person

Communication with the hearing impaired by phone or in person

Communication with the visually impaired

Communication with cognitively or mentally impaired

SOLUTION

Ensure program access through staff assistance and/or building modifications. Move program/meet with citizens at an alternate site upon request. Persons with impairments are accommodated, as appropriate and possible, for participation in sports.

Provide auxiliary services upon request, provide assistance, written communications, sensitivity training for staff.

Provide auxiliary services upon request, provide assistance, TTY machine, sign language person, written communications, sensitivity training for staff.

Provide alternate formats upon request, staff assistance, use multi-media advertising, provide written information in alternative formats upon request, sensitivity training for staff.

Staff sensitivity training, communicate in simpler terms and slower manner, utilize Tribble Center personnel to assist.

DATE REMOVED

RESPONSIBLE PARTY

ADA Coordinator

**TRANSITION PLAN
City of Seneca, SC**

EXECUTIVE SUMMARY

INTRODUCTION

In order to comply with the American With Disabilities Act of July 1990 and Section 504 of the Rehabilitation Act of 1973, this plan was completed as the first step in addressing the requirements the city must meet. This plan is available for review and will be maintained by the city's ADA/Section 504 Coordinator for at least three years. The following summary highlights the main points of the plan.

ADA/SECTION 504 REQUIREMENTS

Under the Acts, the City of Seneca is required to do the following:

- 1) Designate an ADA/Section 504 Coordinator
- 2) Adopt a grievance procedure
- 3) Complete a self evaluation plan of all programs and activities
- 4) Complete a transition plan identifying structural/component changes necessary to make programs accessible
- 5) Notify beneficiaries and employees of non-discrimination on the basis of disability
- 6) Retain files on all ADA/Section 504 related activities

The City of Seneca has completed or is in the process of completing each of these requirements.

PROCESS

An ADA/Section 504 Coordinator was appointed by the City Administration. Departmental coordinators were contacted by the ADA/504 Coordinator and were asked to provide information on the areas to which the public had access in their respective departments.

A representative of the Appalachian Council of Governments assisted the city in the compilation of information. Each department was surveyed and individually inspected to identify possible barriers to those programs and activities. After this information was collected, solutions to all listed barriers were identified. In compliance with the requirements of ADA/504, program barriers will be dealt with in specific detail as part of the Self Evaluation Plan and will not be covered in the Transition Plan.

The title of this work component is the City of Seneca Transition Plan. This plan forms the basis for evaluating and eventually removing barriers to City programs and activities. Used in conjunction with the Self Evaluation Plan, this work should serve as a guide for the removal of all barriers to City services.

The categories of the Transition Plan are as follows:

- 1) Element – Description of item/component
- 2) Barrier – Identified barrier
- 3) Recommendation – How to overcome the barrier
- 4) Planned Removal Date – To monitor progress

FINDINGS

Through completion of the Transition Plan, some common physical barriers to program participation were identified. Solutions were recommended to remove these barriers.

COMMON BARRIERS AND SOLUTIONS

- 1) Parking and parking signage
 - a. Provide an adequate number of parking spaces
 - b. Provide appropriate signage to mark spaces
- 2) Doors and Gates
 - a. Provide handles, locks, and latches that are operable with one hand
 - b. Provide products that are operable without tight pinching, grasping, or twisting of the wrist
- 3) Restrooms
 - a. Designate accessible restrooms if public restrooms are available
 - b. Insure that restrooms have the appropriate facilities to safely accommodate the needs of those who may have a disability

CONCLUSIONS

The purpose of this plan is to help the city comply with ADA/504 standards. This plan should be considered a working document; with each new program, service, or solutions to barriers to be added as they become apparent. Also, the City will work to continue the process of evaluation with individuals who may have a disability and are willing to contribute their needs, concerns, and personal experiences.

**Fire Department
 Date of Transition Plan -- April 2008
 Date of Latest Revision --**

Element	Barrier	Recommendation	Planned Removal Date	Actual Removal Date	Responsible Party
<p>The one-story fire station was constructed in 1999 and conforms to ADA regulations. The public has access only to the front lobby, which is accessible, and there is an intercom system by which to contact on-duty personnel for assistance.</p>					

**Municipal Court
Date of Transition Plan – April 2008
Date of Latest Revision –**

Element	Barrier	Recommendation	Planned Removal Date	Actual Removal Date	Responsible Party
Restroom -women's	Exposed pipes/drain under sink	Cover pipes/drain to prevent burns. ADAAG 4.19.4	12/08		ADA Coordinator

The Municipal Court and the Police Department share the same building, which was renovated in 1995, and conforms to ADA regulations. The courtroom, jury room, and restrooms are all accessible.

Police Department
 Date of Transition Plan – April 2008
 Date of Latest Revision –

Element	Barrier	Recommendation	Planned Removal Date	Actual Removal Date	Responsible Party
<p>The Police Department and the Municipal Court share the same building, which was renovated in 1995, and conforms to ADA regulations. The public only has access to the Police Department lobby desk for assistance. The lobby desk is staffed 24 hours per day and an intercom system has to be accessed for entrance into the lobby.</p>					
Restroom -women's	Exposed pipes/drain under sink	Cover pipes/drain to prevent burns. ADAAG 4.19.4	12/08		ADA Coordinator

Street, Sanitation, Recycling, and Motor Pool
 Date of Transition Plan – April 2008
 Date of Latest Revision –

Element	Barrier	Recommendation	Planned Removal Date	Actual Removal Date	Responsible Party
Parking	No designated space	Designate a space and add proper signage. ADAAG 4.6.1-4.6.4	12/08		ADA Coordinator
Restrooms- men's and women's	Exposed pipes/drain under sinks	Cover pipes/drain to prevent burns. ADAAG 4.19.4	12/08		
Doors to both restrooms	Door hardware not to ADA standards	Install handles that do not require a grasping or twisting motion. ADAAG 4.13.9	12/08		
Restroom- men's	Toilet flush mechanism on wrong side	Mount flush mechanism on the wide side of the toilet area. ADAAG 4.16.5	12/08		

**Seneca City Hall
Date of Transition Plan – April 2008
Date of Latest Revision –**

Element	Barrier	Recommendation	Planned Removal Date	Actual Removal Date	Responsible Party
The new city hall was built in 1994 and conforms to ADA regulations. In addition to the stairs between the two floors, there is an elevator. Council Chambers has a microphone and speaker system and remote hearing devices are to be installed by the end of 2008.					
Restrooms- men's and women's -1 st and 2 nd floors	Exposed pipes/drain under sinks	Cover pipes/drain to prevent burns. ADAAG 4.19.4	12/08		ADA Coordinator
Restrooms- women's-1 st and 2 nd floors	Toilet flush mechanism on wrong side	Mount flush mechanism on the wide side of the toilet area. ADAAG 4.16.5	12/08		

Recreation Department
 Date of Transition Plan – April 2008
 Date of Latest Revision –

Element	Barrier	Recommendation	Planned Removal Date	Actual Removal Date	Responsible Party
The Shaver Complex gym, meeting rooms, and men's and women's restrooms are all accessible. The Gignillait Gym/Community Center bleachers are not accessible but wheelchair access is available on the gym floor sides and court ends. The meeting rooms and restrooms are all accessible.					
Gignillait Gym restrooms- men's and women's	Exposed pipes/drain under 2 of 3 sinks for each	Cover pipes/drain to prevent burns. ADAAG 4.19.4	12/08		ADA Coordinator
Downtown Park/Public Restrooms- men's and women's	Incorrect signage	Install signage meeting ADA regulations. ADAAG 4.30.2-4.30.4	12/08		
	No grab bars	Install grab bars at side and back of toilet. ADAAG 4.17.6	12/08		
	Toilet flush mechanism on wrong side	Mount flush mechanism on the wide side of the toilet area. ADAAG 4.16.5	12/08		
	Exposed pipes/drain under sinks	Cover pipes/drain to prevent burns. ADAAG 4.19.4	12/08		
Restroom- men's	Toilet paper dispenser broken	Install dispenser meeting ADA regulations. ADAAG 4.16.6	12/08		
City Swimming Pool-Restroom- women's	Exposed pipes/drain under sink	Cover pipes/drain to prevent burns. ADAAG 4.19.4	12/08		

REASONABLE ACCOMMODATIONS POLICY

City of Seneca

The City of Seneca will provide reasonable accommodations for any disabled individual provided it does not constitute an undue financial or administrative burden.

The request must be made five (5) days prior to the public event/hearing.

The City will also accommodate any disabled job applicant or employee who becomes disabled while working for the City.

T. Scott Moulder
City Administrator

Attest: _____
Carol Hall
City Clerk/Treasurer

Dated: _____

EAST COAST PYROTECHNICS, INC.
AGREEMENT

Exh. E

This contract entered in this 8th day of January A.D. 2020 by and between EAST COAST PYROTECHNICS, INC. of Catawba, S.C. and City of Seneca (customer) of City Seneca State SC.

WITNESSETH: EAST COAST PYROTECHNICS, INC. for and in consideration of the terms hereinafter mentioned, agrees to furnish to the CUSTOMER one (1) Fireworks Display(s) as per agreement made and accepted and made a part hereof, including the services of our Operator to take charge of and fire display under the supervision and direction of the Customer, said display to be given on the evening of July 4, 2020 Customer Initial _____, weather permitting, it being understood that should inclement weather prevent the giving of this display on the date mentioned herein the parties shall agree to a mutually convenient alternate date, within six (6) months of the original display date. Customer shall remit to the first party an additional 15% of the total contract price or additional expenses in presenting the display on an alternate date. The determination to cancel the show because of inclement or unsafe weather conditions shall rest within the sole discretion of EAST COAST PYROTECHNICS, INC. In the event the customer does not choose to reschedule another date or cannot agree to a mutually convenient date, EAST COAST PYROTECHNICS, INC. shall be entitled to 40% of the contract price for costs, damages and expenses. If the fireworks exhibition is cancelled by CUSTOMER prior to the display, CUSTOMER shall be responsible for and shall pay EAST COAST PYROTECHNICS, INC. on demand, all EAST COAST PYROTECHNICS, INC.'s out of pocket expenses incurred in preparation for the show including but not limited to, material purchases, preparation and design costs, deposits, licenses, and employee charges.

EAST COAST PYROTECHNICS, INC. agrees to furnish all necessary fireworks display materials and personnel for fireworks display in accordance with the program approved by the parties. Quantities and varieties of products in the program are approximate. After final design, exact specifications will be supplied upon request. EAST COAST PYROTECHNICS, INC. enters this agreement contingent upon its ability to secure delivery of product for the display.

It is further agreed and understood that the CUSTOMER is to pay EAST COAST PYROTECHNICS, INC. the sum of \$18,375.00 (50% deposit due with contract). A service fee of 1 1/2% per month shall be added if account is not paid in full within 30 days of the show date.

EAST COAST PYROTECHNICS, INC. will obtain Commercial Liability and Property Damage and Workers Compensation insurance. Certificate of Insurance will be provided prior to the event. All the entities listed on the Certificate of Insurance will be deemed as an additional insured per this contract.

Customer will provide the following items:

- (a) Sufficient area for the display, including a minimum spectator set back of 350 feet at all points from the discharge area.
- (b) Protection of the display area by roping-off or similar facility.
- (c) Adequate police protection to prevent spectators from entering display area.
- (d) Search of the fallout area at first light following a nighttime display.

It is further agreed and mutually understood that nothing in this contract shall be constructed or interpreted to mean a partnership, both parties being hereto responsible for their separate and individual debts and obligations, and neither party shall be responsible for any agreements not stipulated in this contract. Customer agrees to pay any and all collection costs, including reasonable attorney's fees and court costs incurred by EAST COAST PYROTECHNICS, INC. in the collection or attempted collections of any amount due under this agreement and invoice. Signor of this contract personally guarantees full payment of this agreement.

The parties hereto do mutually and severally guarantee terms, conditions, and payments of this contract, these articles to be binding upon the parties, themselves, their heirs, executors, administrators, successors and assigns.

EAST COAST PYROTECHNICS, INC.

By _____

Date Signed: January 8, 2020

Jacob Putnam
PO Box 209
Catawba, SC 29704
P 803-789-5733
F 803-789-6440
jacob@eastcoastpyro.com

CUSTOMER

By _____

It is duly authorized agent, who represents he/she has full authority to bind the Customer

Date Signed: _____

(Please Type or Print)

Name: _____

Address: _____

Phone: _____

Email: _____

Billing Email: _____