



Corporation of the Municipality of Bayham

Policy Name: Municipality of Bayham Accessibility Policy

Section 1 - Policy Statement

The Corporation of the Municipality of Bayham is committed to providing quality goods, services and facilities that are accessible and inclusive to all persons that it serves. In order to meet the needs of persons with disabilities the Municipality of Bayham will:

- i. Ensure policies, practices and procedures address dignity, independence, integration, inclusiveness and provide for equal opportunity for persons with disabilities;
- ii. Allow persons with disabilities to use their own personal assistive devices to obtain, use or benefit from the services offered by the Municipality;
- iii. Strive to meet the needs of persons with disabilities in a timely manner, at a cost no greater than that for persons without disabilities;
- iv. Accommodate the accessibility needs of persons with disabilities to ensure they can obtain, use or benefit from the Municipality's goods, services, programs and facilities.

The Municipality will promote accessibility by ensuring that compliance is met for all regulations made under *the Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*. In order to ensure that timelines are met and the Municipality continues to strive to be holistically accessible, the Municipality will establish, implement and maintain a multi-year accessibility plan. The Municipality of Bayham Multi-Year Accessibility Plan will outline the Municipality's strategy to prevent and remove barriers to persons with disabilities. The Municipality of Bayham Multi-year Accessibility Plan will be reviewed at least once every five years. Further, an annual status report will be prepared and presented to Council.

Section 2 - Background

The *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)* is a provincial statute that allows the government to develop and enforce specific standards for accessibility. The standards, or regulations, are intended to achieve accessibility for persons with disabilities with respect to customer service, transportation, built environment, information/communication and employment.

Section 3 - Application

This policy shall apply to every person who deals with members of the public or other third parties on behalf of the Corporation of the Municipality of Bayham, whether the person does so as an employee, agent, volunteer or otherwise.

This policy applies to all services offered at facilities owned, leased or operated by the Municipality, as well as public events hosted by the Municipality, regardless of where the event takes place. This policy also applies to all external groups and agencies that use facilities owned leased or operated by the Municipality to hold a public event.

Section 4 - Definitions

- i. 'Assistive Device' shall mean a device used to assist persons with disabilities in carrying out activities or accessing the services of persons or organizations;
- ii. 'Barrier' shall mean an obstacle that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice;
- iii. 'Disability' shall be as defined in the Ontario Human Rights Code and the Accessibility for Ontarians with Disabilities Act, 2005 and include any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device; a condition of mental impairment or a developmental disability; a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language; a mental disorder: or an injury or disability for which benefits were claimed under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*.
- iv. 'Discrimination' shall mean unequal treatment based upon any of the prohibited grounds as outlined in the Human Rights Code: Race, Ancestry, Creed, Place of Origin, Colour, Sex (including pregnancy), Ethnic Origin, Citizenship, Sexual Orientation, Age, Record of Offences, Marital Status, Same-sex Partnership Status, Family Status or Disability.
- v. 'Municipality' shall mean the Corporation of the Municipality of Bayham.
- vi. 'Nurse' shall mean a Registered Nurse, Registered Practical Nurse or Nurse Practitioner who is a registered member in good standing with the College of Nurses in Ontario.
- vii. 'Physician' shall mean a physician who is a registered member in good standing with the College of Physicians and Surgeons of Ontario.
- viii. 'Service Animal' shall include:
 - a. A 'guide dog', as defined in Section 1 of the *Blind Persons Rights' Act*; or
 - b. an animal used by a person with a disability if it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or the person provides a letter from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to the disability:
 - A member of the College of Audiologists and Speech-Language Pathologists of Ontario.
 - A member of the College of Chiropractors of Ontario.

- A member of the College of Nurses of Ontario.
 - A member of the College of Occupational Therapists of Ontario.
 - A member of the College of Optometrists of Ontario.
 - A member of the College of Physicians and Surgeons of Ontario.
 - A member of the College of Physiotherapists of Ontario.
 - A member of the College of Psychologists of Ontario.
 - A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario
 - c. As defined within legislation
- ix. 'Support Person' shall mean a person who accompanies a person with a disability in order to assist them with communication, mobility, personal care, or medical needs or with access to goods or services.

Section 5 – Accessible Procurement

The Municipality will use reasonable efforts to ensure accessibility criteria and features are considered when purchasing goods, service and facilities. When it is not practicable to incorporate accessibility criteria, the Municipality will provide an explanation upon request. In general, procurement will be consistent with the following principles:

- i. The Municipality's goods and services are provided in a manner that respects the dignity and independence of persons with disabilities;
- ii. The provision of the Municipality's goods and services to persons with disabilities is integrated with those provided to persons who do not have disabilities unless an alternative measure is necessary to enable a person with a disability to obtain, use or benefit from the Municipality's goods and services and;
- iii. Persons with disabilities are given an opportunity equal to that of persons without disabilities to obtain, use or benefit from the Municipality's goods and services.

Section 6 - Alternate Formats – Communication Supports – Web Content

The Municipality will provide alternate formats of information and communication that is produced or in direct control of the Municipality. Alternate formats will be provided upon request, in a timely manner and at a cost that is no more than the cost charged for the original format. When it is not practicable to provide an alternate format, the Municipality will provide an explanation and a summary of the document in an accessible format.

The Municipality will provide communication supports to members of the public upon request. If the Municipality is unable to obtain the requested communication support, the Municipality will work with the individual to determine an appropriate alternative method of communication.

In accordance with applicable legislation, the Municipality will ensure that websites and web content are created in a manner keeping with the expectations of the Web Content Accessibility Guidelines 2.0 (WCAG).

Purchased Documents or Videos: The Department purchasing a document or video that will be available on the Municipality's website shall ensure that the document or video is created in a manner that ensures compliance with WCAG 2.0.

Third-Party Documents: The Municipality will put forward efforts to ensure that documents provided to the Municipality on behalf of a third party, that will be posted on the Municipality's website, and not in direct control of the Municipality through a contractual relationship, will be remediated in accordance with WCAG 2.0, unless it is not practicable to do so.

In the event that it is not practicable to remediate a third party document, for which the Municipality is not in direct control through a contractual relationship, a member of the public may contact the Municipality to arrange for the information to be provided in an accessible format, upon request. The Municipality will consult with the requesting individual to determine suitability of format.

Section 7 - Feedback Process

The ultimate goal of the Municipality is to meet and surpass public expectations pertaining to public service. Comments on Municipal services regarding how well those expectations are being met are welcome and appreciated as they may identify areas that require change and encourage service improvements.

Feedback regarding the way the Municipality provides goods and services can be made by completion of a Feedback Form available at all on the Municipal website.

Section 8 - Service Disruptions

The Municipality will make reasonable effort to provide notice of a disruption to the public, including information about the reason for the disruption, its anticipated duration, and a description of alternative facilities or services, if any, that may be available. The Municipality will make reasonable effort to provide prior notice of planned disruption whenever possible, recognizing that in some circumstances such as in the situation of unplanned temporary disruption, advance notice will not be possible. In such cases, the Municipality will provide notice as soon as practicable.

The notice will be placed on the Municipal website and by any other method that is reasonable and applicable under the circumstances.

Section 9 - Support Persons

The Municipality is committed to welcoming persons with disabilities who are accompanied by a support person. Any person with a disability who is accompanied by a support person will be allowed to enter the Municipality's premises with their support person. At no time will a person with a disability who is accompanied by a support person be prevented from having access to their support person while on Municipal premises.

The Municipality may require a person with a disability to be accompanied by a support person while on Municipal premises in situations where it is necessary to protect the health and safety of the person with the disability or the health and safety of others on the premises.

In certain situations, the Municipality, at its discretion, may require a support person to sign a confidentiality agreement prior to an exchange of information with the person with a disability.

A support person, when assisting a person with a disability to obtain, use or benefit from the Municipality's goods or services, shall not be charged for admission to any facility owned and operated by the Municipality.

Section 10 - Service Animals

The Municipality is committed to welcoming persons with disabilities who are accompanied by a service animal on those parts of Municipal premises that are open to the public and other third parties provided the animal is not otherwise excluded by law. If a service animal is excluded by law, the Municipality will ensure that alternate means are available to enable the person with a disability to obtain, use or benefit from the Municipality's goods and services.

If it is not readily apparent that the animal is a service animal, the Municipality may ask the person with the disability for a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability. The Municipality may also, or instead, ask for a valid identification card signed by the Attorney General of Canada or a certificate of training from a recognized guide dog or service animal training school. If proper documentation is not produced, the person with the disability may be asked to remove the animal from the premises.

It is the responsibility of the person with the disability to ensure that their service animal is kept in control at all times. This will include controlling the behavior of the animal (e.g. barking or growling), cleaning up after the animal (e.g. defecation) and being responsible for any damage the animal may cause to Municipal property.

Section 11 - Use of Assistive Devices

A person with a disability may provide their own assistive device for the purpose of obtaining, using and benefiting from the Municipality's goods and services. Exceptions may occur in situations where the Municipality has determined the assistive device may pose a risk to the health and safety of a person with a disability or the health and safety of others on the premises. In these situations, the Municipality may offer a person with a disability other reasonable measures to assist him or her in obtaining, using and benefiting from the Municipality's goods and services where the Municipality has such other methods available.

It should be noted that it is the responsibility of the person with a disability to ensure that his or her assistive device is operated in a safe and controlled manner at all times.

Section 12 - Built Environment Standards

The Accessibility Standards for the Built Environment focus on removing barriers in two areas and the Municipality is committed to the same:

Ontario Building Code

Ontario's Building Code was amended to include enhancements to accessibility in buildings. As of January 1, 2015, new construction and renovations will be subject to updated accessibility requirements.

Accessibility Standard for the Design of Public Spaces

The standard for the design of public spaces only applies to new construction and major changes to existing features. The standard covers:

- i. Recreational trails/beach access routes
- ii. Outdoor public eating areas like rest stops or picnic areas
- iii. Outdoor play spaces, like playgrounds in provincial parks and local communities
- iv. Outdoor paths of travel, like sidewalks, ramps, stairs, curb ramps and rest areas
- v. Service-related elements like service counters, fixed queuing lines and waiting areas
- vi. Maintenance of accessible public spaces.

Section 13 - Accommodation

The Municipality of Bayham is an equal opportunity employer. The Municipality's commitment to a holistically inclusive work environment and universal accommodation extends to all employment activities: recruitment and selection, orientation, working conditions, promotion, training, performance management, career development and workforce transition. It also includes the purchase and management of information technology and communication systems, development and management of information services, decisions relating to real property, purchases of internal fittings, and decisions related to conferences, seminars and training.

The Municipality of Bayham is an Equal Opportunity Employer

If you require accommodation at any time throughout the employment activities process, please contact us at: 519-866-5521, accessibility@bayham.on.ca or by visiting www.bayham.on.ca and we will make every effort to provide appropriate assistance pursuant to the Municipality of Bayham Employment Activities Accommodation Policy.

Section 14 - Training

Training will be provided to staff members, volunteers and third parties in accordance with the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*. The Municipality will retain records of training, including the date on which training is provided, the number of individuals to whom it is provided and the nature of the training that is provided. The names of the individuals trained will be recorded for municipal administrative purposes and all personal information collected will be managed in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.

The training will include:

- An overview of the *Ontario Human Rights Code*
- A review of the *Accessibility for Ontarians with Disabilities Act, 2005*
- A review of the *Integrated Accessibility Standards Regulation* (O. Reg 191/11)
- Specific review of *Integrated Accessibility Standards Regulation* requirements, based on the duties associated with the employee.
- How to interact and communicate with persons with various types of disabilities
- How to interact with persons with disabilities who use an assistive device or require the assistance of a guide dog or other service animal or the assistance of a support person.

- How to use equipment or devices available on the Municipality's premises or otherwise provided by the Municipality that may help with the provision of goods, services or facilities to a person with a disability.
- What to do if a person with a disability is having difficulty accessing the Municipality's goods, services or facilities.

The training will be appropriate to the duties of the employees, volunteers and other people. Employees will be trained as soon as practicable.

Section 15 - Responsibilities

Municipal Council and staff are responsible for adhering to the parameters of this policy. Staff will consult with the County of Elgin Accessibility Coordinator on the implementation of this policy.

Section 16 - Modifications to this Policy

The Municipality is committed to developing accessibility policies that respects and promotes the dignity and independence of persons with disabilities. Therefore, no changes will be made to this policy before considering the impact on persons with disabilities. All amendments or modifications to this policy shall be approved by Council.

Section 17 - Questions about this Policy

This policy exists to achieve service excellence to persons with disabilities. If questions exist about the policy, or if the purpose of a policy is not understood, an explanation will be provided by the Administration of the Municipality of Bayham.