

**Avon Town Council**

**Ordinance 2015 - 20**

**Ordinance Reiterating and Adopting Title VI of the Civil Rights Act of 1964  
into the Town of Avon, Indiana, Code of Ordinances**

**Whereas**, it is the policy of the Town of Avon that no person 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; and

**Whereas**, the Civil Rights Restoration Act defines “any program” as all of the operations of “(A) a department, agency, special purpose district, or other instrumentality of a State or of local government; or (B) the entity of such State or local government that distributes such assistance and each such department or agency to which the assistance is extended, in the case of assistance to a State or local government”; and

**Whereas**, the Town of Avon’s local government operates under the definition of “any program” as provided by the Civil Rights Act of 1964 and the Civil Rights Restoration Act; and

**Whereas**, it is the policy of the Town of Avon to comply with Title VI of the Civil Rights Act of 1964; and

**Whereas**, the Town of Avon recognizes it is of the utmost importance to expel racial discrimination and to ensure that public funds are not spent in a way which encourages, subsidizes, or results in racial discrimination; and

**Whereas**, the Town of Avon is committed to implementing Title VI of the Civil Rights Act of 1964 administratively, physically and financially; and

**Whereas**, the Town of Avon has and will continue to disseminate sufficient information to applicants, participants, beneficiaries, and other interested persons to inform them of their rights and protections afforded by Title VI of the Civil Rights Act of 1964; and

**Whereas**, although the Town of Avon has enforced and complied with Title VI of the Civil Rights Act of 1964, the Town wishes to reiterate its policy under Title VI of the Civil Rights Act of 1964 by adopting a new section in the Town of Avon, Indiana, Code of Ordinances;

**It is, therefore, ordained** that a new section, Section 2-251, is added to the Town of Avon, Indiana, Code of Ordinances and that this section reads as follows:

**“§ 2-251 Title VI of the Civil Rights Act of 1964 Policy**

(A) **Policy Against Discrimination:** It is the policy of the Town of Avon that no person 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;

(B) **Intention to Comply with Title VI of the Civil Rights Act of 1964:** It is the policy of the Town of Avon to comply with Title VI of the Civil Rights Act of 1964. If a policy of the Town and a provision of Title VI of the Civil Rights Act of 1964 conflict, the Title VI provision will be deemed to be the policy of the Town and will be enforceable as if specifically written in this policy;

(C) **Importance of Equal Treatment:** The Town of Avon recognizes that it is important to expel all racial discrimination and to ensure that public funds are not spent in a way which encourages, subsidizes, or results in racial discrimination;

(D) **Notice of Rights:** The Town of Avon has and will continue to disseminate sufficient information to applicants, participants, beneficiaries, and other interested persons to inform them of their rights and protections afforded by Title VI of the Civil Rights Act of 1964;

(E) **Grievance Procedure:** The Town of Avon has adopted and implemented a grievance procedure for complaints under § 2-251 of the Town of Avon, Indiana, Code of Ordinances. The grievance procedure was established to meet the requirements of Title VI of the Civil Rights Act of 1964. It may be used by anyone who wishes to file a complaint alleging the *Town of Avon* discriminated on the basis of race, color, or national origin regarding the exclusion from participation in, being denied the benefits of, or being subjected to discrimination under any program or activity receiving Federal financial assistance.

(1) 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.

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

Ryan Cannon  
Title VI Grievance Coordinator  
Town of Avon, Town Hall  
6570 E US Highway 36  
Avon, IN 46123  
(317) 272 - 0948  
[rcannon@avongov.org](mailto:rcannon@avongov.org)

(3) Within 15 calendar days after receipt of the complaint Ryan Cannon or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Ryan Cannon or his designee will respond in writing and where appropriate in a format accessible to the complainant. The response will explain the position of the *Town of Avon* and offer options for substantive resolution of the complaint.

(4) If the response of Ryan Cannon or his designee does not satisfactory resolve the issue, the complainant or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Avon Town Council.

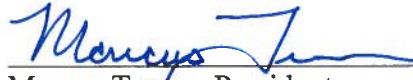
(5) Within 15 calendar days after receipt of the appeal, the Avon Town Council will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after that meeting, the Avon Town Council will respond in writing and where appropriate, in a format accessible to the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

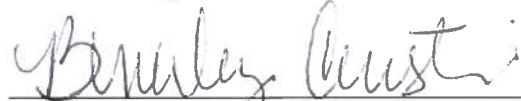
(6) All written complaints received by Ryan Cannon or his designee, appeals to the Avon Town Council and responses from these two offices will be retained by the *Town of Avon* for at least three years.”


**It is further ordained** that this Ordinance takes effect upon adoption.

Adopted this 3 day of DECEMBER, 2015.

A Majority of the Avon Town Council:


  
\_\_\_\_\_  
Marcus Turner, President

  
\_\_\_\_\_  
Beverley Austin, Vice President

  
\_\_\_\_\_  
~~Dave Cox, Member~~ AARON TEVEBAUGH

~~Aaron Tevebaugh, Member~~ DAVE COX

  
\_\_\_\_\_  
Greg Zusani, Member

Attest:   
\_\_\_\_\_  
Sharon Howell, Clerk-Treasurer