

THE CORPORATION OF THE TOWNSHIP OF EAR FALLS

BY-LAW NO. 2507-23

**A By-Law to Amend the Accessibility Policy -
Customer Service for the Township of Ear Falls**

WHEREAS By-Law No. 1507-09, dated December 15th, 2009, adopted an Accessibility Policy – Customer Service for the Corporation of the Township of Ear Falls; and

WHEREAS By-Law 2248-19, dated September 17th, 2019, amended the Accessibility Policy – Customer Service for the Corporation of the Township of Ear Falls

WHEREAS Council deems it to be in the best interest of the municipality to amend the Accessibility Policy – Customer Service and to remain in compliance with the Accessibility for Ontarians with Disabilities Act;

NOW THEREFORE, the Council of the Corporation of the Township of Ear Falls **HEREBY ENACTS AS FOLLOWS**:

1. **THAT** the purpose of this By-Law is to amend the Accessibility Policy – Customer Service for the Township of Ear Falls as per Schedule “A” attached hereto and forming part of this By-Law.
2. **THAT** By-Law No. 2248-19 is hereby repealed.
3. **THAT** this By-Law shall come into force and take effect upon the final passing hereof.

PASSED this 2nd day of August, 2023.



Mayor



Clerk

ACCESSIBILITY POLICY – CUSTOMER SERVICE

1. PURPOSE

The purpose of this Policy is to direct the implementation of high-quality customer service for all patrons of the Township of Ear Falls, in accordance with the Accessibility for Ontarians with Disabilities Act. The Policy will address:

- The provision of goods and services to persons with disabilities;
- The use of assistive devices by persons with disabilities;
- The use of service animals by persons with disabilities;
- The use of support persons by persons with disabilities;
- Notice of temporary disruptions in services and facilities;
- Training;
- Customer feedback regarding the provision of goods and services to persons with disabilities; and
- Notice of availability and format of documents.

2. DEFINITIONS

“Accessibility Standard” means an accessibility standard made by Regulation in accordance with Section 6 of the Act.

“Barrier” means anything 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.

“Disability” means:

- (a) 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 coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment,

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Policy Section: Corporate

Policy Name: Accessibility Policy – Customer Service **122.AC**

or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;

- (b) a condition of mental impairment or a developmental disability;
- (c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- (d) a mental disorder; or
- (e) an injury or disability for which benefits were claimed or received under the Insurance Plan established under the Workplace Safety and Insurance Act, 1997; (“handicap”).

“Service Animal” – an animal is a service animal for a person with a disability, if:

- (a) the animal can be readily identified as one that is being used by the person for reasons relating to the person’s disability, as a result of visual indicators such as the vest or harness worn by the animal; or
- (b) the person provides a documentation from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to the disability:
 - (i) A member of the College of Audiologists and Speech-Language Pathologists of Ontario.
 - (ii) A member of the College of Chiropractors of Ontario.
 - (iii) A member of the College of Nurses of Ontario.
 - (iv) A member of the College of Occupational Therapists of Ontario.
 - (v) A member of the College of Optometrists of Ontario.
 - (vi) A member of the College of Physicians and Surgeons of Ontario.
 - (vii) A member of the College of Physiotherapists of Ontario.
 - (viii) A member of the College of Psychologists of Ontario.
 - (ix) A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario. O. Reg. 165/16, s. 16.

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“Support Person” means, in relation to a person with a disability, another person who accompanies him or her in order to help with communication, mobility, personal care or medical needs or with access to goods or services.

3. POLICY STATEMENT

The Corporation of the Township of Ear Falls is committed to providing quality goods and services that are accessible to all persons served by the Municipality.

4. GENERAL PRINCIPLES AND IMPLEMENTATION:

a) The Provision of Goods and Services to Persons with Disabilities

The Township of Ear Falls will use reasonable efforts to ensure its Policies, Practices and Procedures are consistent with the following principles:

- The Township’s goods and services are provided in a manner that respects the dignity and independence of persons with disabilities.
- The provision of the Township’s goods and services to persons with disabilities are 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 Township’s goods and services and,
- Persons with disabilities are given an opportunity equal to that of persons without disabilities to obtain, use or benefit from the Township’s goods and services.

b) Service Animals

Persons with a disability may enter premises owned and operated by the Township accompanied by a service animal and keep the animal with them if the public has access to such premises and the animal is not otherwise excluded by law. If the service animal is excluded by law from the premises, the Township will evaluate available measures to enable the person with a disability to obtain, use or benefit from the Township’s goods and services. The safety, care and protection of the community at large will take priority over any individual.

If it is not readily apparent the animal is a service animal, the Township may ask the person with a disability for a letter from a qualified medical professional confirming the person requires the animal for reasons relating to his / her disability. The

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Township may also, or instead, ask for a Certificate of Training from a recognized Guide Dog or Service Animal Training School.

It should be noted it is the responsibility of the person with a disability to ensure his / her service animal is kept under control at all times.

c) Support Persons

If a person with a disability is accompanied by a support person, they are permitted to enter the premises together and are not prevented from having access to each other while on the premises.

If it is not readily apparent the support person is required, the Township may ask the person with a disability for a letter from a qualified medical professional confirming the person requires a support person for reasons relating to his / her disability.

The Township may require a person with a disability to be accompanied by a support person while on its premises, but only if a support person is necessary to protect the health and safety of the person with a disability or the health and safety of others on the premises.

Where fees for services requiring access by the disabled person to Township facilities are advertised or promoted by the Township, unless otherwise communicated in advance, the fee charged to a support person accompanying the disabled person will be as per the Schedule of Fees. The Township may ask, at the time of purchase, the person with the disability for a letter from the qualified medical professional confirming the person requires a support person for reasons related to his / her disability.

d) Notice of Temporary Disruptions in Services and Facilities

Temporary disruptions in Township services or facilities may occur due to reasons that may or may not be within the Township's control or knowledge.

The Township will make reasonable effort to provide notice of the 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.

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If the disruption is anticipated, the Township will provide a reasonable amount of advance notice of the disruption.

The Township will provide notice by posting the information in visible places, or on the Township's website (www.ear-falls.com), or by any other method that may be reasonable under the circumstances as soon as reasonably possible.

e) Feedback Process

Feedback from the public is welcomed as it may identify areas that require change and encourage continuous service improvement.

The public can provide feedback to the Township on the delivery of goods and services to persons with disabilities:

- (a) by mail addressed to: Clerk Treasurer Administrator
P.O. Box 309
Ear Falls, ON
POV 1T0
- (b) by telephone: (807) 222-3624 ext. 1027
- (c) in person at: Clerk Treasurer Administrator's Office,
2 Willow Crescent,
Ear Falls, ON
- (d) or by e-mail to: kballance@ear-falls.com

Feedback will not be acted upon unless the person providing same includes his or her name, mailing address and daytime telephone number. E-mail addresses and/or anonymous correspondence are not sufficient.

The Township will strive to provide responses to feedback within ten (10) business days from its receipt. Information about the feedback process will be posted on the Township website (www.ear-falls.com) and/or in other appropriate locations.

f) Assistive Devices

A person with a disability may provide their own assistive device for the purpose of obtaining, using and benefiting from the Township's goods and services. Exceptions

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may occur in situations where the Township 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 and others, the Township may offer a person with a disability other reasonable measures or assistance in obtaining, using and benefiting from the Township's goods and services, where the Township has such other measures available.

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

g) Training

All Township employees, volunteers, and others who provides goods, services or facilities on behalf of the Township and those involved in developing Customer Service Policies, Practices, and Procedures, will receive Accessibility Awareness Training as soon as practical after beginning their duties.

The amount and format of training given will be tailored to suit each person's interactions with the public and his / her involvement in the development of Policies, Procedures and Practices pertaining to the provision of goods and services.

Contractors and agents providing services on behalf of the Township to the public will be required to ensure staff has received the appropriate training.

Training will be provided as soon as practicable upon the individual being assigned the applicable duties. Training will also be provided on an ongoing basis as changes occur to the Township Policies, Procedures and Practices governing the provision of goods and services to persons with disabilities.

The Township will keep records of the training provided, including dates training is provided and the number of persons trained. This includes records of initial Accessibility Training and Refresher Training.

Accessibility Awareness Training will include the following:

- a. How to provide goods and services in a manner that respects the dignity and independence of persons with disabilities;

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- b. How to interact and communicate with persons in a manner that takes into account their disabilities;
 - c. The process for people to provide feedback to the Township about its provision of goods and services to persons with disabilities, and how the Township responds to the feedback and takes action on any complaint;
 - d. How to interact with persons with disabilities who use an assistive device or require the assistance of a service animal or a support person to access goods and services;
 - e. Information on other Township Policies, Practices, and Procedures dealing with the Accessibility for Ontarians with Disabilities Act;
 - f. A review of the purposes of the Accessibility for Ontarians with Disabilities Act and the requirements of the customer service standard;
 - g. How to use equipment or devices available on Township premises or provided by the Township that may help the provision of goods and services; and
 - h. What to do if a person with a disability is having difficulty accessing Township's goods and services.
 - i. Training on the Ontario Human Rights Code

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