

RECORD OF ORDINANCES

Government Forms and Supplies (844) 224-3338 FORM NO. SHTOR011

Ordinance No. 0-72-21 Passed June 7, 2021

Introduced by Arian Smedley, Member
Planning & Development Committee

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 3, ADMINISTRATIVE PROVISIONS, UNLAWFUL DISCRIMINATORY PRACTICES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: An Ordinance amending Athens City Code Title 3, Administrative Provisions, Sections 3.07.61, Community Relations Commission: Definitions, to add (M), and 3.07.62 (C), Unlawful Discriminatory Practices, and 3.07.63(A)(2), Posting of Notices, **AND 3.07.99, PENALTY**, to read as follows:

3.07.61. – Community Relations Commission: Definitions.

(M) “SOURCE OF INCOME” MEANS LAWFUL INCOME DERIVED FROM WAGES, SOCIAL SECURITY, SUPPLEMENTAL SECURITY INCOME, ALL FORMS OF FEDERAL, STATE OR LOCAL ASSISTANCE PAYMENTS OR SUBSIDIES, INCLUDING RENT VOUCHERS, CHILD SUPPORT, SPOUSAL SUPPORT, AND PUBLIC ASSISTANCE WHICH CAN BE VERIFIED AND SUBSTANTIATED.

3.07.62. - Unlawful discriminatory practices.

(C) Discrimination in housing. It shall be unlawful:

(1) For an owner, lessee, sublessee, assignee, real estate broker, real estate salesperson, managing agent of, or other person having the right to sell, rent, lease, sublease, assign, transfer, or otherwise dispose of a housing accommodation, or any agent of these, to refuse to sell, to refuse to rent, lease, sublease, assign, transfer, or otherwise deny to or withhold from any person or group of persons such housing accommodations or represent that such housing accommodations are not available, because of the race, creed, color, sex, sexual orientation, gender identity or expression, national origin or ancestry, marital or familial status, **SOURCE OF INCOME**, religious belief, age, or disability of such person or persons; or discriminate against or segregate any person because of his/her race, creed, color, sex, sexual orientation, gender identity or expression, national origin or ancestry, marital or familial status, religious belief, age, or disability in the terms, conditions, or privileges of the sale, rental, lease, sublease, assignment, transfer, or other disposition of any such housing accommodations or to do any other thing or engage in conduct which would otherwise make unavailable equal housing opportunities.

(2) For a person to publish, circulate, issue, or display, or cause to be published, circulated, issued, or displayed, any communication, notice, advertisement, or sign of any kind relating to the sale, rental, lease, sublease, assignment, transfer, or

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listing of a housing accommodation or accommodations which indicates any preference, limitation, specification, or discrimination based on race, creed, color, sex, sexual orientation, gender identity or expression, national origin or ancestry, **SOURCE OF INCOME**, marital or familial status, religious belief, age, or disability.

(3) For a person, bank, banking organization, mortgage company, insurance company, or other financial institutions of lenders, or agent or employee thereof, to whom application is made for financial assistance for the purchase, lease, acquisition, construction, rehabilitation, repair, or maintenance of any housing accommodation to discriminate against any person or group of persons because of race, creed, color, sex, sexual orientation, gender identity or expression, national origin or ancestry, marital or familial status, religious belief, age, or disability of such person or group of persons or of the prospective occupants or tenants of such real property in the granting, withholding, extending, modifying, or renewing, or in the rates, terms, conditions, or privileges of, any such financial assistance or in the extensions of services in connection thereof.

(4) For an owner, lessee, sublessee, assignee, real estate broker, real estate salesperson, managing agent of, or other person having the right to sell, rent, lease, sublease, assign, transfer, or otherwise dispose of a housing accommodation, or any agent of any of these to discriminate against any person by refusing to negotiate, making false representations on the availability of the housing unit, or withdrawing from the market a housing unit which is for sale, lease, sublease, or rental.

(5) For an owner, lessee, sublessee, assignee, real estate broker, real estate salesperson, managing agent of, or other person having the right to sell, rent, lease, sublease, assign, transfer, or otherwise dispose of a housing accommodation, or any agent of any of these to include in the terms, conditions, or privileges of any sale, lease, sublease, rental, assignment, or other transfer of any housing, any clause, condition, or restrictions discriminating against any person in the use or occupancy of such housing.

(6) For an owner, lessee, sublessee, assignee, real estate broker, real estate salesperson, managing agent of, or other person having the right to sell, rent, lease, sublease, assign, transfer, or otherwise dispose of a housing accommodation, or any agent of any of these to discriminate in the furnishing of any facilities, repairs, improvements, or services or in the terms, conditions, or privileges or tenure of occupancy of any person.

(7) For any real estate agent or other individual:

(a) To induce or attempt to induce a sale, transfer of interest, or listing for sale of any housing by making representations regarding the existing or potential proximity of real property owned, used, or occupied by any person of

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any particular race, creed, color, sex, sexual orientation, gender identity or expression,

national origin or ancestry, marital or familial status, **SOURCE OF INCOME**, religious belief, age, or disability, by direct or indirect methods.

(b) To make any representations to any prospective purchaser, or lessee that any housing in a particular block, neighborhood, or area may undergo, is undergoing, or has undergone a change with respect to race, creed, color, sex, sexual orientation, gender identity or expression, national origin or ancestry, marital or familial status, **SOURCE OF INCOME**, religious belief, age, or disability of such block, neighborhood, or area.

(c) To induce or attempt to induce a sale or listing for sale of any housing by representation that the presence or anticipated presence of persons of any particular race, creed, color, sex, sexual orientation, national origin or ancestry, marital or familial status, **SOURCE OF INCOME**, religious belief, age, or disability in the area will or may result in:

- (1) The lowering of property values.
- (2) A change in racial, color, religious, nationality, or ethnic composition of the block, neighborhood, or area in which the property is located.
- (3) An increase in criminal or antisocial behavior in the area.
- (4) A decline in the quality of the schools serving the area.

3.07.63. - Posting of notices.

(A) Every real estate agent shall post in a conspicuous location in that portion of his/her place of business normally used by him/her for negotiating the terms of a sale or lease of housing, and each person who operates a housing accommodation with one or more units shall post at all times when prospective tenants are being interviewed, in a conspicuous location in that portion of his/her housing business normally used by him/her for negotiating the rental of a housing unit therein, a notice prepared and provided by the community relations commission which contains the following language, printed in black on a light-colored background, in not less than 14-point type:

It is a violation of the Community Relations Law of the City of Athens, State of Ohio, for any real estate agent, or for any person owning or managing multi-unit apartment dwelling to:

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(1) Deny housing to any person because of race, creed, color, sex, sexual orientation, gender identity or expression, national origin or ancestry, marital or familial status, **SOURCE OF INCOME**, religious belief, age, or disability.

(2) Discriminate against any person because of that person's race, creed, color, sex, sexual orientation, gender identity or expression, national origin or ancestry, marital or familial status, **SOURCE OF INCOME**, religious belief, age, or disability, with respect to the terms, conditions, or privileges of housing accommodation in the furnishing of facilities and services in connection therewith.

IF YOU BELIEVE YOU HAVE BEEN DISCRIMINATED AGAINST, CONTACT THE CITY OF ATHENS COMMUNITY RELATIONS COMMISSION, THE OHIO CIVIL RIGHTS COMMISSION, OR THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

3.07.99. Penalty.

Any person, firm, or corporation violating any provisions of Sections 3.07.61 through 3.07.68 of this Code, or any amendment or supplement thereto, shall be deemed guilty of a **MINOR** misdemeanor and, upon conviction thereof, shall be fined **NOT MORE THAN \$150.** ~~in accordance with Section 2929.21(D) of the Ohio Revised Code.~~ Each and every day during which such discrimination continues shall be deemed a separate offense.


SECTION II: This Ordinance shall be in effect and full force upon its passage and approval by the Mayor.


Christine B. Kowalsky
President of Council

ATTEST:


Dena G. Walker
Clerk of Council

APPROVED:



Mayor