

CHAPTER 16
HUMAN RIGHTS¹

ARTICLE I. IN GENERAL	1601
<i>Secs. 16-1 - 16-10. Reserved.</i>	1601
ARTICLE II. DISCRIMINATION IN HOUSING	1602
<i>Sec. 16-11. Statement of policy.</i>	1602
<i>Sec. 16-12. Definitions.</i>	1602
<i>Sec. 16-13. Discrimination in sale or rental.</i>	1602
<i>Sec. 16-14. Discrimination in financing.</i>	1603
<i>Sec. 16-15. Refusal to accept as member of real estate sales organization.</i>	1603
<i>Sec. 16-16. Exemptions.</i>	1603
<i>Sec. 16-17. Interference, etc., with rights protected by article.</i>	1604
ARTICLE III: CITY OF JEFFERSON COMMISSION ON HUMAN RELATIONS	1605
<i>Sec. 16-30. Establishment.</i>	1605
<i>Sec. 16-31. Structure of commission - quorum - compensation.</i>	1605
<i>Sec. 16-32. Meetings.</i>	1605
<i>Sec. 16-33. Powers and duties.</i>	1605
<i>Sec. 16-34. Prohibitions.</i>	1607
<i>Sec. 16-35. Finances.</i>	1607
<i>Sec. 16-36. City cooperation.</i>	1607

ARTICLE I. IN GENERAL

Secs. 16-1 - 16-10. Reserved.

ARTICLE II. DISCRIMINATION IN HOUSING²

Sec. 16-11. Statement of policy.

It is the policy of the city to provide, within constitutional limitations, for fair housing throughout the city. This article is considered by the mayor and the city council to be necessary for the good government of the city, the preservation of peace and good order, the benefit of trade and commerce and the welfare of the inhabitants of the city. (Code 1977, § 21-12)

Sec. 16-12. Definitions.

For the purposes of this article, the following words or phrases shall have the meanings respectively ascribed to them by this section:

(Ord. No. 13311, §1, 12-17-2001)

Discriminatory housing practice. An act that is unlawful under sections 16-13, 16-14 or 16-15.

Dwelling. Any building, structure or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof.

Family. Includes a single individual.

To rent. Includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.

(Code 1977, § 21-13)

State law reference - Similar provisions, RSMo. § 213.100.

Sec. 16-13. Discrimination in sale or rental.

It shall be unlawful:

A. To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, sex, religious affiliation, color, religion or national origin; provided, that if other bona fide offers to rent or buy have been made, the owner or lessor, or his agent, may accept such offers without violating this paragraph.

B. To discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, sex, religious affiliation, color, religion or national origin.

C. To make, print or publish, or cause to be made, printed or published, any notice, statement or advertisement with respect to the sale or rental of a dwelling, that indicates any preference, limitation or discrimination based on race, sex, religious affiliation, color, religion or national origin, or an intention to make any such preference, limitation or discrimination.

D. To represent to any person, because of race, sex, religious affiliation, color, religion or national origin, that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.

E. For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person of a particular race, sex, religious affiliation, color, religion or national origin.

F. To discriminate in the sale or rental of housing on the basis of a handicap, or to fail to require the design and construction of new multi-family dwelling with four (4) or more units to meet certain adaptability and accessibility requirements, to the extent mandated by federal or state law.

G. To discriminate in the sale or rental of housing because a family has children, to the extent required by federal law.

(Code 1977, § 21-14; Ord. No. 11604, § 1, 7-16-91)

State law reference - Similar provisions, RSMo. § 213.040.

Sec. 16-14. Discrimination in financing.

It shall be unlawful for any bank, savings and loan association, insurance company or other corporation, association, firm or enterprise, whose business consists in whole or in part in the making of commercial real estate loans, to deny a loan or other financial assistance to a person applying therefor for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling, or to discriminate against him in the fixing of the amount, interest rate, duration or other terms or conditions of such loan or other financial assistance, because of the race, sex, religious affiliation, color, religion, handicap, familial status, national origin or ancestry of such person or of any person associated with him in connection with such loan or other financial assistance, or of the present or prospective owners, lessees, tenants or occupants of the dwelling or dwellings in relation to which such loan or other financial assistance is to be made or given.

(Code 1977, § 21-15; Ord. No. 11604, § 1, 7-16-91; Ord. No. 12293, § 1, 6-19-95)

State law reference - Similar provisions, RSMo. § 213.045.

Sec. 16-15. Refusal to accept as member of real estate sales organization.

It shall be unlawful to deny any person access to, or membership or participation in, any multiple listing service, real estate brokers' organization or other service organization or facility relating to the business of selling or renting dwellings, or to discriminate against him in terms or conditions of such access, membership or participation, because of race, sex, religious affiliation, color, religion, handicap, familial status, national origin or ancestry.

(Code 1977, § 21-16; Ord. No. 11604, § 1, 7-16-91; Ord. No. 12293, § 2, 6-19-95)

State law reference - Similar provisions, RSMo. § 213.050.

Sec. 16-16. Exemptions.

The provisions of Section 16-13 and 16-14, shall not apply to the following:

A. A rental or leasing of a dwelling unit in a building which contains housing accommodations for not more than two (2) families living independently of each other, if the owner or members of his family reside in such dwelling unit.

B. A rental or leasing to less than five (5) persons living in a dwelling unit by the owner if the owner or members of his family reside therein.

C. Any single family house sold or rented by an owner provided that such house is sold or rented:

1. Without the use of sales or rental facilities or services of real estate brokers, agents, salesmen, or persons in the business of selling or renting dwelling; and
2. Without the publication, posting or mailing of any advertisements in violation of Section 16-13 (3) of this ordinance; provided however, that
 - a. nothing in this provision shall prohibit the use of attorneys, escrow agents, abstractors, title companies, and other such professional assistance as necessary to perfect or transfer the title; and
 - b. that any such private individual owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title or any right to all or a portion of the proceeds from the sale or rental of more than three such single family houses any one time.

D. For the purposes of subsection (C) above, a person shall be in the business of selling or renting dwellings if:

1. He has, within the preceding twelve months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein; or
2. He has, within the preceding twelve months, participated as agent, other than in the sale of his own personal residence in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any dwelling or any interest therein; or
3. He is the owner of any dwelling designed or intended for occupancy, by or occupied by five or more families.

(Ord. No. 11604, § 1, 7-16-91)

Sec. 16-17. Interference, etc., with rights protected by article.

It shall be unlawful to coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by the provisions of this article.

(Code 1977, § 21-24)

(Code 1977, § 21-23; Ord. No. 11604, § 1, 7-16-91; Ord. No. 13311, §1, 12-17-2001)

ARTICLE III: CITY OF JEFFERSON COMMISSION ON HUMAN RELATIONS

Sec. 16-30. Establishment.

A. There shall be an advisory commission to be known as the City of Jefferson Commission on Human Relations.

B. The City of Jefferson Commission on Human Relations shall foster mutual understanding and respect among all ethnic, racial, and religious groups of the City, shall discourage discrimination against any such group, and may; where advisable, cooperate with federal, state and municipal agencies and nongovernmental organizations with the primary purpose of effectuating its general aims of education. The City of Jefferson Commission on Human Relations may also make such studies in the field of Human Relations which, in its judgment, will be helpful in carrying out its general purposes.

C. As used in this article, the term "Commission" shall mean the "City of Jefferson Commission on Human Relations."

Sec. 16-31. Structure of commission - quorum - compensation.

A. The Commission shall consist of nine (9) members who shall serve without compensation, and who shall be broadly representative of the religious, racial, educational, labor, civic, commercial, management, ethnic, and governmental groups of the community. All members of the Commission shall be appointed by the Mayor and approved by the Council. The Mayor, with a majority vote of the City Council, may remove any member of the Commission for failure or inability to attend meetings, or for other good cause shown. Of the nine (9) members, three (3) members shall be appointed for a term of one (1) year, three (3) others shall be appointed for a term of two (2) years, and three (3) others shall be appointed for a term of three (3) years. Thereafter, at the end of the first term of each of such members of the Commission the terms of appointment shall be for three (3) years each, provided, however, that all members shall continue in office until their successors shall have been appointed and qualified. In the event of the death or resignation of any member, a successor shall be appointed to serve for the unexpired term. The provisions of section 7-5 notwithstanding, at least eight of the members shall be residents of the City, but all non-city residents shall be residents of Cole County. The president of the Jefferson City Multicultural Forum, a corporation, shall be an ex-officio, non-voting, member of the Commission. (Ord. 13670, §1, 1-5-2004; Ord. 14146, §1, 1-16-2007)

B. At its first meeting in each fiscal year, the Commission shall select a chairman. The chairman shall be the presiding officer at all meetings of the Commission. The Commission may elect a vice chairman, a secretary or any combination of officers which it finds advisable for the efficient carrying out of its purposes. Any Commission officer shall be eligible to succeed themselves at the will of the Commission.

C. Any four (4) members of the Commission shall constitute a quorum to do business.

Sec. 16-32. Meetings.

The Commission shall hold regular business meetings at least once each quarter at such time and place as shall be established by the Commission. The Commission may hold such additional business meetings as it shall, from time to time, deem necessary.

Sec. 16-33. Powers and duties.

The powers and duties of the Commission shall be as follows:

A. To foster, through community effort or otherwise, good will, cooperation, conciliation, and sympathetic understanding among all groups, elements, and individuals through education.

B. To formulate and carry out educational programs that will aid in eliminating and preventing prejudice, discrimination, intolerance and bigotry which is based on race, color, religion, national origin, sex, ancestry, age or disability.

C. To educate the public of false and sinister propaganda subversive to the public interest in the area of human relations.

D. To initiate and conduct voluntary surveys, assemble pertinent data, ~~hold hearings,~~ and issue such publications and reports as, in its judgment, will tend to minimize, prevent or eliminate prejudice, intolerance, bigotry, and discrimination.

E. To examine this Code and other ordinances of the City as such Code and ordinances relate to human relations. The Commission shall recommend to the Council legislation to aid in carrying out the purposes of the Commission. Any new or proposed bills relating to human relations shall be submitted by the city clerk to the Commission, and such Commission shall not have less than ten (10) days in which to review such bills and make recommendations to the City Council.

F. To make recommendations to the Mayor and Council regarding educational programs for eliminating any unfair or unjust discrimination, prejudice, intolerance or bigotry against any person or group which are deemed detrimental to the best interests of the community.

G. To hold educational public forums and request the attendance of guest speakers when the Commission deems it necessary or advisable to accomplish its purposes.

H. To create such advisory subcommittees, as, in its judgment, will aid in effectuating its purposes.

I. To hold and conduct educational meetings calculated to enlist the cooperation of all groups in the community to cooperate in eliminating and preventing group tensions, prejudices, intolerance, bigotry and discrimination on the grounds of race, color, religion, national origin, sex, ancestry, age or disability.

J. To make a report of its activities, together with its recommendations, to the Mayor and the Council from time to time, and to make a full report of all activities and progress annually, which report may be published with the approval of the Council.

K. To adopt rules and regulations consistent with the law for the conduct of its business and establishment of its procedures.

L. To further the policies of the Fair Housing Act for the City of Jefferson, Missouri, and to educate the public in preventing and/or eliminating discriminatory housing practices.

M. To cooperate with and render assistance to federal, state, local, and other public or private agencies, organizations, and institutions which are formulating or carrying on programs to educate the public in preventing and/or eliminating discriminatory housing practices.

Sec. 16-34. Prohibitions.

The Commission is prohibited from hearing on cases of alleged discrimination or acting as a judicial or investigative body on cases of alleged discrimination.

Sec. 16-35. Finances.

The City Council acting for the Commission may receive federal and state grants, and may accept and use private contributions, for the furtherance of the Commission's work.

Sec. 16-36. City cooperation.

The Commission may request and shall receive the cooperation of city staff members, to the extent reasonably possible, in providing it assistance for the furtherance of its duties.

NOTES

¹. **Cross references** - Definitions and rules of construction generally, § 1-2; equal opportunity employment, etc., for CATV franchises, § 9-107; discrimination in sale of graves at city cemetery, § 16-13.

State law reference - Human rights, RSMo. Ch. 213.

². **State law reference** - Housing discrimination, RSMo. § 213.100 et seq.