

790.19 UNLAWFUL DISCRIMINATORY PUBLIC ACCOMMODATIONS PRACTICES.

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Sheffield Lake Overview

Codified Ordinances of Sheffield Lake, OH

CODIFIED ORDINANCES OF THE CITY OF SHEFFIELD LAKE, OHIO

CERTIFICATION

ROSTER OF OFFICIALS

ADOPTING ORDINANCE NO. 116-84

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OH

Sheffield Lake

Codified Ordinances of Sheffield Lake, OH

790.19 UNLAWFUL DISCRIMINATORY PUBLIC ACCOMMODATIONS PRACTICES.

CHAPTER 790 Fair Housing

790.14 INTIMIDATION OR INTERFERENCE IN HOUSING.

No person, whether or not acting under color of law, shall by force or threat of force willfully injure, intimidate or interfere with, or attempt to injure, intimidate or interfere with any of the following:

(a) Any person because of race, religion, color, sex, sexual orientation, national origin, age, disability, or ethnic group, Vietnam-era or disabled veteran status, familial status, marital status or ancestry and because that person is or has been selling, purchasing, renting, financing, occupying, contracting, or negotiating for the sale, purchase, rental, financing, or occupation of any property; or applying for or participating in any service, organization, or facility relating to the business of selling or renting housing accommodations;

(b) Any person because that person is, or has been, or is considering:

(1) Participating, without discrimination on account of race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group, Vietnam-era or disabled veteran status, familial status, marital status or ancestry, in any of the activities, services, organizations or facilities described in division (a) of this section;

(2) Affording another person or class of persons opportunity of protection or protection so to participate;

(c) Any person because that person is, or is considering lawfully aiding or encouraging other persons to participate, without discrimination on account of race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group, Vietnam-era or disabled veteran status, familial status, marital status or ancestry, in any of the activities, services, organizations or facilities described in division (a) of this section, or participating lawfully in speech.

(Ord. 3-09. Passed 1-13-09.)

790.15 PATTERN OR PRACTICE OF DISCRIMINATION.

Whenever the Fair Housing Board has reasonable cause to believe that any person or persons are engaged in a pattern or practice of resistance to a person's or persons' full enjoyment of the rights granted by Section 790.03 or 790.19, of this chapter, or that any group of persons has been denied any of the rights granted by such section and the denial raises an issue of public policy, the Fair

Housing Board may refer the matter to the Director of Law for commencement of a civil action in a court of competent jurisdiction on behalf of the City. The Director of Law may seek any relief considered necessary to ensure the full enjoyment of the rights granted by this chapter. (Ord. 3-09. Passed 1-13-09.)

790.16 PROHIBITIONS AGAINST REAL ESTATE STEERING.

No person who receives or expects to receive pecuniary gain from the sale or rental of housing accommodations shall:

(a) Influence or attempt to influence any other person who purports or represents himself or herself to be a prospective purchaser, occupant or tenant of housing accommodations to refrain from purchasing or renting housing accommodations by referring to race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group, Vietnam-era or disabled veteran status, familial status, marital status or ancestry, of occupants or prospective occupants of other housing accommodations in the neighborhood;

(b) Influence or attempt to influence, by any words, acts, or failure to act any person who purports or represents himself to be a prospective seller, purchaser, occupant, landlord or tenant of housing accommodations, in connection with the sale or rental of housing accommodations, so as to promote or tend to promote the continuance or maintenance of segregated housing or so as to retard, obstruct or discourage integrated housing on or in any street, block or neighborhood;

(c) Discriminate against any person who purports or represents himself to be a prospective seller, purchaser, occupant, landlord or tenant of housing accommodations by any influence, suggestion, act or failure to act, or accord any differential treatment among such persons, in connection with the sale or rental of housing accommodations or in the furnishing of information, services, or facilities relative thereto because of the race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group, Vietnam-era and disabled veteran status, familial status, marital status or ancestry of any person.

(Ord. 3-09. Passed 1-13-09.)

790.17 ADDITIONAL REMEDIES.

This chapter shall not prevent the City or any person from exercising any right or seeking any remedy to which that person might otherwise be entitled, or from filing any complaint with any other agency or court of law or equity.

(Ord. 3-09. Passed 1-13-09.)

790.18 SCOPE/SEVERABILITY.

(a) Scope. The provisions of this chapter shall apply to all property, as defined herein, located within the territorial limits of the City of Sheffield Lake, Ohio.

(b) Severability. If any provision of this chapter is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the chapter shall not be invalidated. (Ord. 3-09. Passed 1-13-09.)

790.19 UNLAWFUL DISCRIMINATORY PUBLIC ACCOMMODATIONS PRACTICES.

It shall be an unlawful discriminatory practice in a place of public accommodation for any person who is the owner, operator, lessee, manager, administrator, servant, agent or employee of any place of public accommodation:

(a) To refuse, deny, segregate, discriminate or make a distinction, directly or indirectly, in offering its goods, services, facilities or accommodations to any person because of membership in a protected class;

(b) To refuse, deny, segregate, separate, discriminate, or make a distinction, directly or indirectly in any way, against any person in the full or equal use and enjoyment of the services,

facilities, privileges, advantages or enforcement powers of the City, or any unit or office thereof, because of membership in a protected class;

(c) For any person, whether or not specifically prohibited from discriminating under any provisions of this section, to aid, abet, incite, compel, or coerce the doing of any act declared to be an unlawful discriminatory practice by this section, or to attempt to do so;

(d) To coerce, intimidate, threaten, retaliate against, or otherwise interfere with any person, or attempt to do so, because he or she has promoted the provisions of this section, or because he or she has filed a complaint, testified, or assisted in any proceeding, investigation or hearing authorized by Sections 790.11 through 790.13 or by appropriate state or federal law;

(e) Nothing in this section shall prohibit a religious or denominational institution, organization, society or association or any nonprofit charitable or educational organization that is operated, supervised or controlled by or in connection with a religious organization, from limiting its offerings of goods, services, facilities and accommodations to persons of the same religion, or from giving preference to such persons, provided that such offerings mentioned about are not, in fact, offered for commercial purposes;

(f) Nothing in this section shall prohibit the establishment of programs or other public accommodations designed and operated for a particular age group. However, such public accommodations shall not discriminate on the basis of membership in a protected class. (Ord. 3-09. Passed 1-13-09.)

790.20 DEFINITIONS.

(a) As used herein, “public accommodation” or “place of public accommodation” means any inn, restaurant, eating house, barbershop, public conveyance by air, land, or water, theater, store or other place for the sale of merchandise or provision of services, amusement or accommodation of which the accommodations, advantages, facilities, or privileges are offered or available to the public.

(b) All other terms used in Sections 790.01 through 790.13 shall have the meanings and definitions given in Chapter 790 , except as may be specifically provided herein or as required by the context. (Ord. 3-09. Passed 1-13-09.)

790.21 COMPLAINTS.

Any aggrieved person may allege that a violation of Section 790.01 has occurred by filing a complaint with the Fair Housing Board in the time, manner and form prescribed under Section 790.06 for complaints of unlawful practices under Section 790.03. The Fair Housing Board and its Discrimination Review Committee each shall have the same powers, duties and responsibilities with respect to a complaint alleging a violation of Section 790.01 as it has under Sections 790.05 through 790.10 with respect to a complaint alleging a violation of Section 790.03, except as may be inapplicable or required by the context or by law.

(Ord. 3-09. Passed 1-13-09.)

790.22 REMEDIES AND BELIEFS.

The City, the Fair Housing Board, any person aggrieved by a violation of Section 790.01 and any respondent thereto shall have the same rights, powers, duties and responsibilities with respect to remedies and relief for violation of Section 790.01 as they have under Section 790.11 through Section 790.13 with respect to a violation of Section 790.03, except as may be inapplicable or required by the context or by law.

(Ord. 3-09. Passed 1-13-09.)

CODIFIED ORDINANCES OF SHEFFIELD LAKE

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