

ORDINANCE 75-67

AN ORDINANCE AMENDING THE BLOOMINGTON MUNICIPAL CODE, CHAPTER 2.60

WHEREAS, it is the public policy of the City of Bloomington to prevent and redress denials of equal opportunity and access to employment, education, public accommodations and the acquisition of real property, and to declare such equal opportunity to be a civil right, and;

WHEREAS, these civil rights are now guaranteed regardless of the race, religion, color, sex, national origin and ancestry of the people who assert such rights, and;

WHEREAS, we believe it to be in the public interest and in conformity with the principles of freedom and equality of opportunity to extend these civil rights to persons regardless of their marital status, sexual orientation or age, and;

WHEREAS, it is also in the public interest to clarify any ambiguities in the Bloomington Human Rights Ordinance and to specifically define the limits and qualifications upon the assertions of the civil rights provided herein;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA:

SECTION I. That Chapter 2.60.010(a) Public Policy and Purpose, of the Bloomington Municipal Code be amended to read as follows:

It is the public policy of the City of Bloomington to provide all citizens equal opportunity for education, employment, access to public accommodations and acquisition through purchase or rental of real property including but not limited to housing, and to eliminate segregation or separation based on race, age, religion, color, sex, national origin, ancestry,

marital status or sexual orientation, since such segregation is an impediment to equal opportunity. Equal education and employment opportunities and equal access to and use of public accommodations and equal opportunity for acquisition of real property are hereby declared to be civil rights.

SECTION 2: That Chapter 2.60.010(b) of the Bloomington Municipal Code be amended to read as follows:

The practice of denying these rights to persons because of race, age, religion, color, sex, national origin, ancestry, marital status or sexual orientation is contrary to the principles of freedom and equality of opportunity and is a burden to the objectives of the public policy of the City of Bloomington, and shall be considered as discriminatory practices. The promotion of equal opportunity without regard to race, age, religion, color, sex, national origin, ancestry, marital status or sexual orientation is the purpose of this ordinance.

SECTION 3: That Chapter 2.60.010(d) of the Bloomington Municipal Code be amended to read as follows:

It is hereby declared to be contrary to the public policy of the City of Bloomington and an unlawful practice to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry into the neighborhood of a person or persons of a particular race, age, religion, color, sex, national origin, ancestry, marital status or sexual orientation.

SECTION 4: That Chapter 2.60.020(a) of the Bloomington Municipal Code be amended by substituting the word "property" for "estate" in the first line, and leaving the

remainder of Chapter 2.60.020(a), including its subparts (1), (2) and (3), the same.

SECTION 5: That Chapter 2.60.020(h) of the Bloomington Municipal Code be amended to read as follows:

The term "discriminatory practice" shall mean the exclusion of a person by another person from equal opportunities because of race, age, religion, color, sex, national origin, ancestry, marital status or sexual orientation; or a system which excludes persons from equal opportunities because of race, age, religion, color, sex, national origin, ancestry, marital status or sexual orientation; or the promotion or assistance of segregation or separation in any manner on the basis of the above categories. Provided, it shall not be a discriminatory practice for an employment agency to refer for employment any individual, or for a joint labor-management committee controlling apprenticeship or other training or retraining programs to admit or employ any individual in such program on the basis of his religion, sex or national origin in those particular instances where religion, sex or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise. Further provided that it shall not be a discriminatory practice for a person to refuse to rent, to unrelated individuals of the same sex, a room, apartment or portion of a building of an owner-occupied multiple dwelling structure on the grounds of such a sexual orientation as includes an occasional or regular propensity to have a sexual relationship with a member or members of the same sex. Further provided that it shall not be a discriminatory practice for a person to refuse to rent for occupancy as living quarters any space in an owner-

occupied multiple dwelling structure on the basis of sex or marital status.

SECTION 6: (v) The term "marital status" shall include all relationships to marriage and shall not be limited to the following relationships: married, single, engaged, divorced, widowed, separated or in the process of becoming married, single, engaged, divorced or separated.

(w) The terms "sexual orientation" shall include an occasional or regular propensity to have a sexual relationship with a member or members of the same or opposite sex, or the total abstention from all sexual relationships.

(x) The term "owner-occupied multiple dwelling structure" shall include only structures in which the owner of the premises actually resides, containing not more than three (3) separate dwelling units, apartments, rooms or portions of the building designed or intended for occupancy as living quarters.

SECTION 7: That Chapter 2.60.060 Educational Programs of the Bloomington Municipal Code shall be amended as follows:

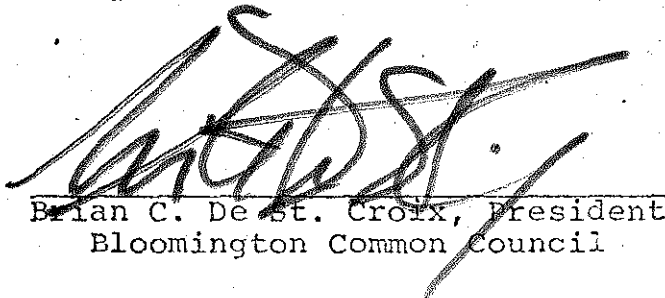
In order to eliminate prejudice among the various groups in the City and to further good will among such groups, the Commission may prepare educational programs designed to emphasize and remedy the denial of equal opportunity because of a person's race, age, religion, color, sex, national origin, ancestry, marital status or sexual orientation, its harmful effects, and its incompatibility with the principles of equality.

SECTION 8: The provisions of this ordinance are severable and if any provision, sentence, clause, section or part thereof is held illegal or invalid, its unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance or their application to other persons or circumstances. It is hereby declared

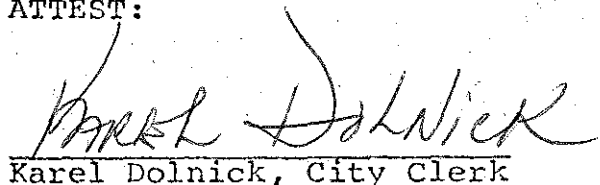
to be the legislative intent that this ordinance would have been adopted if such illegal, invalid, or unconstitutional provisions, sentences, clauses, sections or parts had not been included therein.

SECTION 9: This ordinance shall be in full force and effect from and after its passage by the Common Council and its approval by the Mayor.

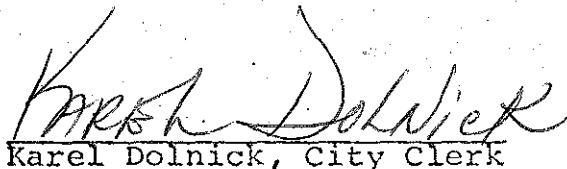
PASSED and ADOPTED by the Common Council of the City of Bloomington, Indiana, this 4 day of December, 1975.


Brian C. De St. Croix, President
Bloomington Common Council

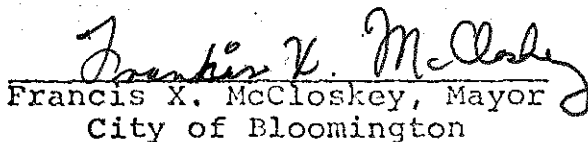
ATTEST:


Karel Dolnick, City Clerk

Presented by me to the Mayor of the City of Bloomington, Indiana, this 9 day of December, 1975 at the hour of 4 o'clock P.m.


Karel Dolnick, City Clerk

Approved and signed by me this 10 day of December, 1975, at the hour of 10 o'clock A.m.


Francis X. McCloskey, Mayor
City of Bloomington

I HEREBY MOVE THAT ORDINANCE

75-67

BE INTRODUCED AND READ AT FIRST READING AT THE

COUNCIL MEETING ON

November 20, 1975

Jack Morrison
(Signature)