

CHAPTER 90: FAIR HOUSING

Section

- 90.01 Statement of policy
- 90.02 Definitions
- 90.03 Offenses
- 90.04 Exceptions

- 90.99 Penalty

§ 90.01 STATEMENT OF POLICY.

It is the policy of the city, through fair, orderly and lawful procedures, to promote the opportunity for each person to obtain housing without regard to race, color, sex, religion, national origin, handicap or familial status. This policy is grounded upon the recognition of the right of every person to have access to adequate housing of the person's choice, and the denial of this right because of race, color, sex, religion, national origin, handicap or familial status is detrimental to the health, safety and welfare of the inhabitants of the city and constitutes an unjust deprivation of rights, which is within the power and proper responsibility of the government to prevent.

(`97 Code, § 8-1) (Ord. 1992-B, passed 2-25-92)

§ 90.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DISCRIMINATION. Any direct or indirect exclusion, distinction, segregation, limitation, refusal, denial or other differentiation in the treatment of a person or persons because of race, color, religion, national origin, sex, handicap or familial status.

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

Cockrell Hill - General Regulations

FAMILIAL STATUS. One or more individuals, who have not attained the age of 18 years, being domiciled with:

(1) A parent or another person having legal custody of such individual or individuals; or

(2) The designee of the parent or other person having such custody, with the written permission of the parent or other person. The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

FAMILY. Includes a single individual.

HANDICAP. A physical or mental impairment that substantially limits one major life activity, a record of such an impairment or being regarded as having such an impairment. The term does not include current, unauthorized use of or addiction to controlled substances, as defined in Section 102 of the Controlled Substances Act (21 USC 802).

PERSON. One or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers and fiduciaries.

TO RENT. To lease, sublease, to let or to otherwise grant for a consideration the right to occupy premises not owned by the occupant.
(`97 Code, § 8-52) (Ord. 1992-B, passed 2-25-92)

§ 90.03 OFFENSES.

(A) It shall be unlawful for any person 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, color, religion, national origin, sex, handicap or familial status.

(B) It shall be unlawful for any person to engage in any conduct relating to the provision of housing which otherwise makes unavailable or denies a dwelling to any person because of race, color, religion, national origin, sex, handicap or familial status.
(`97 Code, § 8-54) (Ord. 1992-B, passed 2-25-92) Penalty, see § 90.99

§ 90.04 EXCEPTIONS.

(A) Nothing in this chapter shall apply to the renting of space within a single-family dwelling unit by the occupant of the unit to any other person or persons.

(B) Nothing in this chapter shall prohibit a religious organization, association or society, or any nonprofit institution or organization, operated, supervised or controlled by or in conjunction with a religious organization, association or society from:

(1) Limiting the sale, rental or occupancy of dwellings that it owns or operates for other than a commercial purpose to persons of the same religion; or

(2) Giving preference to persons of the same religion, unless membership in the religion is restricted because of race, color or national origin.

(C) Nothing in this chapter shall be construed to change the building codes or zoning ordinances of the city.

(`97 Code, § 8-55) (Ord. 1992-B, passed 2-25-92)

§ 90.99 PENALTY.

Any person convicted of violating any provision of this chapter shall be deemed guilty of a misdemeanor and subject to a fine not exceeding the limit set out in § 10.99 for each violation. Any person, firm or corporation violating any provision of this chapter may be enjoined by a suit filed by the city in a court of competent jurisdiction, and this remedy is in addition to any other penalty provision.

(`97 Code, § 8-53) (Ord. 1992-B, passed 2-25-92)

