

Enabling Legislation: NCGS §160A-492

§ 160A-492. Human relations, community action and manpower development programs.

The governing body of any city, town, or county is hereby authorized to undertake, and to expend tax or nontax funds for, human relations, community action and manpower development programs. In undertaking and engaging in such programs, the governing body may enter into contracts with and accept loans and grants from the State or federal governments. The governing body may appoint such human relations, community action and manpower development committees or boards and citizens' committees, as it may deem necessary in carrying out such programs and activities, and may authorize the employment of personnel by such committees or boards, and may establish their duties, responsibilities, and powers. The cities and counties may jointly undertake any program or activity which they are authorized to undertake by this section. The expenses of undertaking and engaging in the human relations, community action and manpower development programs and activities authorized by this section are necessary expenses for which funds derived from taxation may be expended without the necessity of prior approval of the voters.

For the purposes of this section, a "human relations program" is one devoted to (i) the study of problems in the area of human relations, (ii) the promotion of equality of opportunity for all citizens, (iii) the promotion of understanding, respect and goodwill among all citizens, (iv) the provision of channels of communication among the races, (v) dispute resolution, (vi) encouraging the employment of qualified people without regard to race, or (vii) encouraging youth to become better trained and qualified for employment. (1971, c. 896, s. 11; c. 1207, ss. 1, 2; 1973, c. 641; 1989 (Reg. Sess., 1990), c. 1062, s. 1.)

City of Durham

TITLE	Human Relations Commission
PURPOSE	<p>Throughout its existence, the Durham Human Relations Commission has provided forums, workshops, conferences, 1-on-1 interventions, and other activities with 1 goal in mind: To improve human relations among the people of Durham. The commission has the following powers and duties in order to carry out the general intent and purpose of the ordinance:</p> <ul style="list-style-type: none"> ◦ To act as a public forum in hearing complaints involving racial tension, to bring together the parties involved to discuss the facts and to assist in the resolution of such complaints. ◦ To receive complaints, via the Human Relations office, alleging discrimination in housing on the basis of race, color, sex, religion, national origin, familial status, or handicap. The department staff will investigate, mediate and conciliate all complaints. ◦ To develop an atmosphere conducive to the best possible human relations, to conduct studies, suggest areas of concern and recommend any action to the city council that the commission feels is necessary and may be lawfully taken to minimize areas of conflict and to promote harmonious relations. ◦ To provide open channels of useful communications among the various racial, religious, ethnic and economic groups in the city and between those groups and the city council so that misunderstandings and wide differences leading to conflict may be ameliorated. ◦ To do research, obtain factual data, hold meetings with citizens and consider and recommend the best and fairest means of progressively improving human relations among all citizens of the city. ◦ To institute and conduct educational programs that promote fairness and courtesy in dealing with people of all racial, religious, ethnic, economic backgrounds and status and that promote equal treatment, equal opportunity and mutual understanding and respect for all citizens. ◦ To render at least annually a written report to the City Council. ◦ To promote equitable and proportionate representation of all traditionally under-represented groups on public boards and agencies in the city.
MEMBERSHIP	<p>The commission members are appointed by the City Council and derive their authority from Ordinance #5639 (revision of Article VIII of Chapter 2 of the Durham City Code). The commission is composed of 15 residents of the City of Durham. The membership represents the social, economic, gender and ethnic population of the city, and is comprised of 6 African Americans, 6 whites, and 3 members of other racial minority groups. The term of office of each commissioner is three years. Members serve without compensation and must live within the corporate city limits.</p>
BUDGET	<p>General Fund: \$234,742 FTEs: 3 Grant Fund \$90,000 FTEs: 1</p>
STAFF RESOURCES	<p>4; The Human Relations staff are FTE's and commissioned to carry out the responsibilities and duties necessary to address our mission of eliminating discrimination. Staff is part of the Neighborhood Improvement Services Department, and works collaboratively with each division to facilitate services that improve the quality of neighborhoods.</p>

The Human Relations Division enforces the City of Durham’s Fair Housing Ordinance and Title VIII of the Civil Rights Act of 1968 and the Ordinance has been deemed substantially equivalent to the federal civil rights law in housing. The Division accepts housing complaints from residents who feel that they have been discriminated against because of their race, color, religion, national origin, gender, familial status (families with children) or disability(physical or mental). These services are provided in collaboration and conjunction with the US Department of Housing and Urban Development (HUD) Fair Housing Assistance Program (FHAP). Fair Housing division staff have been certified by HUD to intake, investigate and conciliate housing discrimination cases and all cases that are accepted for investigation are dual filed with HUD. The Human Relations Division prioritizes community outreach and conducts weekly outreach at designated locations around the City. The Division provides fair housing training throughout Durham to landlords, tenants, the housing industry, residents and the general public. Fair Housing training is provided to increase the knowledge of residents, community groups, and housing providers relative to discrimination in sales, rentals, mortgage and insurance discrimination, reasonable accommodations and design and construction requirements. The Human Relations Division develops and fosters programs aimed at addressing and enhancing racial and cultural relations to create a greater level of harmony in the community. The Human Relations Division provides staff oversight to the Durham Human Relations Commission and the Mayor’s Hispanic-Latino Inclusion Committee. In addition to the above, the Human Relations Division offers a free Basic Energy Education (BEE) training to Durham residents, homeowners, renters, neighborhood groups and to the general public. The training sessions assist residents by helping them to understand what they can do on their own to reduce their electric bill.

ARTICLE III. - HUMAN RELATIONS COMMISSION

Sec. 34-107. - Established.

There is hereby established a commission to be known as the human relations commission, herein referred to as the commission, which shall be appointed, organized, and function as hereinafter provided.

(Code 1964, § 2-55; Code 1982, § 2-40; Ord. No. 5639, § 2, 4-6-1981)

State Law reference— Appointment of human relations committee, G.S. 160A-492.

Sec. 34-108. - Composition; appointment and terms of members; filling vacancies.

- (a) The commission shall consist of 17 members. Sixteen members shall be appointed by council. One member shall be appointed by the mayor. Such persons shall be citizens and residents of the city. The goal is that these 17 voting members represent the diverse social, economic, gender, sexual orientation, ability, religious affiliations, and racial and ethnic composition of the city. To assist the council in achieving this goal, the commission shall proactively encourage applicants of diverse backgrounds to apply to serve on the commission.
- (b) The recommended commission membership shall consist of six Black/African-Americans, six White/European Americans, two Hispanic/Latino Americans, and two members from a racial/ethnic group not represented by the preceding racial/ethnic categories. The mayor's appointee shall be from any racial/ethnic category. Both genders shall be equally represented, but neither by more than 53 percent.

The city clerk shall cause public notice to be given when vacancies occur in one of the aforementioned seats. However, after three months from the date of such public notice, if there is no applicant appointed

who identifies as one or more of the missing racial/ethnic groups, then the council shall fill the vacancy with otherwise qualified applicants.

- (c) The term of office of each commissioner is three years; the terms are staggered, so that the terms of five members shall expire each year. The term of office of each commissioner expires on June 30 of the last year of the term; provided, however, that a commissioner shall continue in office beyond the expiration of the term until such time as a successor may be appointed. Commissioners are limited to serving two consecutive terms. Citizens must wait for one full term before reapplying for appointment except in unusual circumstances.
- (d) A person appointed to fill a vacancy occurring prior to the expiration of a term shall be appointed only for the unexpired part of that term.
- (e) Any member absent for more than two consecutive regular meetings or more than three regular meetings in a year shall be deemed as having an excess of absences and recommendation will be made to the city council for removal from the commission. The commission may excuse the absence of a member of the commission for good cause provided that notice is given prior to the meeting.

(Code 1964, § 2-56; Code 1982, § 2-41; Ord. No. 5639, § 2, 4-6-1981; Ord. No. 7240, § 1, 6-15-1987; Ord. No. 7958, §§ 1, 2, 11-20-1989; Ord. No. 11265, 10-6-1997; Ord. No. 14877, § 2, 12-21-2015)

Sec. 34-109. - Meetings; officers.

The commission shall fix the time and place for its regular meetings and shall hold at least one regular meeting each month, except for the month of July. The commission shall elect a chair and vice-chair. The chair, vice-chair, the city manager or the director hereinafter provided for may call special or emergency meetings of the commission consistent with G.S. 143-318.9 et seq. The person calling a special or emergency meeting shall promptly notify each member of the commission of the called meeting.

(Code 1964, § 2-57; Code 1982, § 2-42; Ord. No. 5639, § 2, 4-6-1981; Ord. No. 6983, § 1, 6-16-1986)

Sec. 34-110. - Voting.

Each member of the commission, including the officers, but not the director, shall have one vote. A quorum shall consist of one plus one-half of the number of members at any regular or special meeting, and no business or function of the commission shall be transacted at regular or special meetings unless a quorum is present. Proxies shall not be permitted, and no vote on any questions shall be considered or counted unless cast by such member of the commission. All questions and actions shall require at least one plus one-half the affirmative votes of the number of members present at any regular or special meeting for passage or approval.

(Code 1964, § 2-58; Code 1982, § 2-43; Ord. No. 5639, § 2, 4-6-1981; Ord. No. 7239, § 1, 6-15-1987)

Sec. 34-111. - Rules of procedure.

The commission may adopt rules of procedure to be followed in conducting its affairs.

(Code 1964, § 2-59; Ord. No. 5639, § 2, 4-6-1981)

Sec. 34-112. - Powers and duties of commission.

In order to carry out the general intent and purpose of this article, the commission shall have the following powers and duties:

- (1) To act as public forum in hearing complaints involving racial tension, to bring together the parties involved to discuss the facts, and to assist in the resolution of such complaints.
- (2) To receive complaints alleging discrimination in employment, public accommodation, and housing because of race, color, sex, religion, ancestry, age or handicap, and to investigate, mediate, and conciliate such complaints.
- (3) To develop an atmosphere conducive to the best possible human relations, to conduct studies, suggest areas of concern and recommend any action to the city council that the commission feels is necessary and may be lawfully taken to minimize areas of conflict and to promote harmonious relations.
- (4) To provide open channels of useful communication among the various racial, religious, ethnic and economic groups in the city and between those groups and the city council so that misunderstandings and wide differences leading to conflict may be ameliorated.
- (5) To do research, obtain factual data, hold meetings with citizens and consider and recommend the best and fairest means of progressively improving human relations among all citizens of the city.
- (6) To institute and conduct educational programs that promote fairness and courtesy in dealing with people of all racial, religious, ethnic and economic backgrounds and status and that promote equal treatment, equal opportunity and mutual understanding and respect for all citizens; and to sponsor meetings, forums and courses of instruction intended to lead to a clearer understanding by all citizens of the true meaning of responsible citizenship in the community and of the obligations inherent in being a good citizen; all with the end in view that the programs should contribute in a helpful way to a positive atmosphere of human relations between people of different racial, religious, ethnic or economic status toward each other and to the reaching of a fair and just solution of problems in human relations.
- (7) To render at least annually a written report to the city council. In its report, the commission may make recommendations to the council and propose legislation that the commission considers desirable.
- (8) To promote equitable and proportionate representation of all traditionally under-represented groups on public boards and agencies in the city.

(Code 1964, § 2-60; Code 1982, § 2-45; Ord. No. 5639, § 2, 4-6-1981)

Sec. 34-113. - Director.

- (a) *Appointment.* At the initiation of the city manager, the city manager and the commission shall jointly appoint a director of human relations. Thereafter, in all other respects, the director shall be a subordinate of the city manager. The city manager and the commission shall set annual goals and objectives for the director.
- (b) *Duties.* The director shall provide clerical assistance and research support to the commission, conduct the initial investigation of a complaint and shall perform any other duties the commission desires. The director shall be a person who supports the amelioration of conflicts and tensions among racial, ethnic or economic groups and equal rights, responsibilities and privileges for all citizens of the city. The director shall work closely with the commission in planning, promoting, coordinating and operating programs relating to human relations. The director shall attend official meetings of the commission and may participate in those meetings, but shall have no vote. The director shall maintain liaison with

a wide variety of groups and organizations and shall work to establish efficient, effective and dependable communication between those groups and organizations and city government. The director shall report to the city manager any matter which the director believes should be brought to the attention of the city council.

(Code 1964, §§ 2-61, 2-62; Code 1982, §§ 2-46, 2-47; Ord. No. 5639, § 2, 4-6-1981)

City of Raleigh

TITLE	Human Relations Commission
PURPOSE	Advises City Council in areas of human services and human relations; originally included evaluating human services and human relations and making recommendations to Council where action is required and had authority to mediate/ reconcile citizen complaints; currently invites speakers to make presentations on diversity and human dignity; promotes diversity and human relations through human relations rewards, Mayor’s Unity Day Celebration, Human Services Grants and Community Dialogues
MEMBERSHIP	14; 1 must be under age of 21; must all have interest in human relations
BUDGET	
STAFF RESOURCES	

- **CHAPTER 3. - HUMAN RELATIONS COMMISSION^[2]**

- **Sec. 4-3001. - ESTABLISHMENT.**

The Human Relations Commission is established.

(Ord. No. 1977-474, §1, 3-15-77; Ord. No. 1988-169, §1, 5-3-88; Ord. No. 2004-591, §1, 4-6-04)

- **Sec. 4-3002. - DEFINITIONS.**

Human relations. Human relations *shall* mean those activities which promote human dignity, equal opportunity and harmony among the many different citizens who make up the population of the *City*. This definition *shall* include those activities and programs classified as promoting the general well being of citizens without regard to race, color, creed, gender, age, sexual orientation, or national origin in their daily activities.

(Ord. No. 1977-474, §2, 3-15-77; Ord. No. 2004-591, §2, 4-6-04)

- **Sec. 4-3003. - COMPOSITION OF COMMISSION.**

The Human Relations Commission *shall* consist of fourteen (14) members, one who shall be less than twenty-one (21) years of age, all of whom *shall* be appointed because of their interest in human relations. The members shall be appointed for two-*year* terms according to the rules and procedures for appoints to *City* boards and commissions.

(Ord. No. 1977-474, §5, 3-15-77; Ord. No. 1984-260, §1, 1-3-84; Ord. No. 1988-110, §1, 1-5-88; Ord. No. 1988-169, §1, 5-3-88; Ord. No. 1993-131, §1, 2-2-93; Ord. No. 2004-591, §3, 4-6-04; Ord. No. 2007-279, §1, 8-7-07)

- **Sec. 4-3004. - FUNCTIONS AND DUTIES.**

The Human Relations Commission *shall* serve as an advisor to the *Council* with respect to human services and human rights. Specifically, the Human Relations Commission *may*:

- (a) Evaluate socio-economic human services needs;
 - (b) Review and comment on plans and analyses developed by the Community Services Department for human service needs;
 - (c) Advise the *Council* on the establishment of *human resources* goals, objectives, policies and standards;
 - (d) Monitor the trends and activities in *human relations* in the *City*;
 - (e) Advise the *Council* with respect to assistance to be provided established organizations in the area of *human relations*;
 - (f) Advise the *Council* with respect to the establishment of *human relations* goals and policies;
 - (g) Receive, investigate and attempt to conciliate and otherwise process complaints and inquiries concerning *human resources*, *human relations* and human rights that are made to the staff assigned under [§4-3004](#) of this chapter or in any other manner referred to the Community Services Department;
 - (h) Establish a subcommittee which *shall* have the authority to attempt conciliation or mediation or both as to any complaint.
- (Ord. No. 1977-474, §7, 3-15-77; Ord. No. 1988-169, §1, 5-3-88; Ord. No. 2004-591, §4, 4-6-04)

• **Sec. 4-3005. - PROHIBITION ON COMMISSION ACTIVITIES.**

The Human Relations Commission *shall* not function in those areas in which the *Council* has expressly legislated, and the Human Relations Commission is in no way empowered to hear, investigate, initiate or otherwise process any matter pertaining to open housing; such items *shall* be referred to the Fair Housing Hearing Board.

(Ord. No. 1977-474, §8, 3-15-77; Ord. No. 1988-169, §1, 5-3-88; Ord. No. 2004-591, §5, 4-6-04)

City of Fayetteville

TITLE	Fayetteville-Cumberland Human Relations Commission
PURPOSE	Provides advise to Council and Commission on improving human relationships and encourages harmony among racial and ethnic groups. The Commission promotes activities, which enhance human dignity, equal opportunity and harmony among the community's diverse population.
MEMBERSHIP	18 – 11 city residents, 4 County Residents, 3 military (ex officio (1 civilian/ 2 uniform) from Ft. Bragg/ Pope AAF)
BUDGET	\$167,876
STAFF RESOURCES	1.6 FTEs

City of Winston-Salem

TITLE	Human Relations Commission
PURPOSE	Vision – create citywide environment that is a place where everyone is treated fairly Mission – to educate, create, facilitate, promote, anticipate, study and recommend programs, projects, feedback and actions for the elimination of discrimination in any and all fields of human relationships
MEMBERSHIP	12 – 7 must be from minority or ethnic groups
BUDGET	\$446,420
STAFF RESOURCES	

Name of Board/Commission	Human Relations Commission	Date 07/20/15
Authority for Creation	The authority for establishing the Human Relations Commission is N.C.G.S. 160A-492. The Commission was created by Section 2-210 of the City Code and adopted by the City Council on February 6, 1978.	
Purpose/Function	The purpose of the Commission is to study problems of discrimination in any or all fields of human relationship and encourage fair treatment and mutual understanding among all ethnic groups in the City. For more specific information, see Section 2-211 of the City Code.	
Method of Appointment	The Commission is composed of 13 members who are appointed by the City Council, upon the recommendation of the Mayor. Seven of the members must be from minority or ethnic groups. All members must be bona fide adults maintaining a permanent residence inside the corporate limits of the City of Winston-Salem.	
Number of Members	Thirteen	
Terms of Office	Three years	
Meeting Date and Time	Fourth Thursday of each month - 5:30 p.m.	
Chief Staff Person	Title	Telephone Number
Wanda Allen-Abraha	Human Relations Director	(336) 727-2429

Duties:

1. Study problems of discrimination in any or all fields of human relationship and encourage fair treatment and mutual understanding among all ethnic groups in the city;
2. Promote equality of opportunity for all citizens;
3. Provide channels of communication among all ethnic groups;
4. Encourage the employment of qualified people of all ethnic groups;
5. Encourage youth to become better trained and qualified for employment opportunities;

6. Anticipate and discover those practices most likely to create animosity and unrest among racial and ethnic groups and by consultation seek a solution as these problems arise or are anticipated;
7. Hold such meetings as the commission may deem necessary or proper to assist in carrying out its functions;
8. Make recommendations to the city council for action it deems necessary for the furtherance of harmony among racial and ethnic groups in the city;
9. Perform duties consistent with general law as may be assigned it from time to time by the city council;
10. Perform such other duties as necessary to enforce the powers assigned it in accordance with Article IV, the Fair Housing Ordinance of the City of Winston-Salem, of Chapter 38 of the City Code; and
11. Facilitate partnerships with fair housing and cultural community organizations to further the purpose of the commission.

The nature and the extent of its policies and programs are determined and set by the commission and shall be implemented within accepted policies and procedures of the city.

City of Greensboro

TITLE	Human Relations Commission
PURPOSE	Improve quality of life by encouraging fair treatment and promoting mutual understanding and respect among all people Focused subcommittees in following areas: education, employment, human services, international advisory, Montgomery/ Wells Housing, Native American Fair and equitable treatment in housing and public accommodations, employs conciliation and mediation techniques to resolve differences among residents involving discrimination, unfair treatment in employment, housing and public accommodations Promotes and fosters economic development, community development, public safety thru training, consultation and facilitation between diverse individual and groups
MEMBERSHIP	15
BUDGET	523,102
STAFF RESOURCES	4.4 FTEs

Education Committee

Supports efforts to raise awareness about the importance of equal access to education for all residents.

Employment Committee

Promotes fair employment practices to small businesses through outreach, education, training, and intervention services to foster diverse and inclusionary practices in the workplace.

Human Services Committee

Engages community organizations, groups, and individuals, and assists in integrating immigrants and refugees in order to build a more diverse community.

International Advisory Committee

Partners with Greensboro's international community to support community-based organizations serving immigrants and refugees in the City.

Montgomery / Wells Housing Committee

Works closely with the Planning and Neighborhood Development departments, the City's fair housing specialist, the Code Enforcement Division, and Greensboro Housing Coalition in advocating for equal opportunity to affordable, well-maintained housing.

Native American Committee

Exists to celebrate the legacy and impact of indigenous communities, and develops programming that identifies cultural opportunities and barriers affecting the Native American community in the region.

○ **ARTICLE II. - COMMISSION ON HUMAN RELATIONS[2]**

• **Sec. 12-21. - Created.**

There is hereby created a commission to be known as the commission on **human relations**.

Charter reference— General authority to create boards, commissions, etc., [§ 4.01\(b\)\(2\)](#).

- **Sec. 12-22. - Membership.**

The commission on **human relations** shall be composed of fifteen (15) members who shall be appointed by the city council for terms to expire on August 15. All members of the commission shall be bona fide adults maintaining a permanent residence inside the corporate limits of the city. The terms of office of the members of the commission shall be three (3) years.

(Code 1961, §§ 2-253, 2-254; Ord. No. 89-119, § 1, 8-31-89)

- **Sec. 12-23. - Duties.**

The duties of the commission on **human relations** shall be as follows:

- (1) To study and make recommendations concerning problems in any or all fields of **human** relationship and encourage fair treatment and mutual understanding among all racial and ethnic groups in the city.
- (2) To anticipate and discover those practices and customs most likely to create animosity and unrest among racial and ethnic groups and by consultation seek a solution as these problems arise or are anticipated.
- (3) To make recommendations to the city council designed to promote good will and harmony among racial and ethnic groups in the city.
- (4) To appoint, at its discretion, subcommittees to concern themselves with specific **human relation** problems. These subcommittees shall be composed of bona fide adult residents of the city but need not be members of the commission; except that the chairman of each subcommittee must be a bona fide member of the commission. Provided, however, a multicultural committee created by the commission may include adults who are not residents of the city nor is the chairman of this committee required to be a member of the commission.
- (5) To serve as a citizens advisory committee for the purpose of coordinating, studying and making reports concerning citizen involvement in various projects.
- (6) To seek and enlist the cooperation of various groups in the city in order to fulfill the purposes of this article.
- (7) To receive general statistical reports and studies from the **human relations** director concerning complaints involving discrimination based on race, color, religion, sex, handicap, familial status, or national origin, and to appoint members to the complaint review committee to assist the **human relations** director in the complaint review process of complaints involving discrimination under article IV, division 2 of this chapter. The complaint review committee shall also hear all appeals of complaints of employee misconduct in violation of departmental directives made against sworn officers of the Greensboro Police Department.
- (8) To cooperate with federal, state, county and city agencies in developing presentations in public and private schools, public libraries, museums and other suitable places, on techniques for achieving harmonious intergroup **relations** within the city.
- (9) To enlist the cooperation of the various racial, religious and ethnic groups, community organizations and other groups in the city, in programs and campaigns devoted to eliminating group prejudice and discrimination.

(10)To hold such meetings as the commission may deem necessary or proper to assist in carrying out its functions.

(11)To perform such other duties as may be assigned it from time to time by the city council.

(Code 1961, § 2-252; Ord. No. 90-114, § 1, 8-30-90; Ord. No. 00-216, § 1, 12-5-00; Ord. No. 13-114, § 1, 8-20-13)

City of Greenville

TITLE	Human Relations Council
PURPOSE	To organize and implement programs dealing with problems of human relations and promote understanding, respect, good will and equality of opportunity for all citizens
MEMBERSHIP	18 – 15 regular plus 1 student from each of following – East Carolina University, Pitt Community College, Shaw University
BUDGET	
STAFF RESOURCES	

City of High Point

TITLE	Human Relations Commission
PURPOSE	Responsible for encouraging understanding and goodwill, working toward the elimination of discriminatory practices, and promoting mutual respect among all citizens
MEMBERSHIP	Ward specific appointments
BUDGET	\$188,971
STAFF RESOURCES	2

- **ARTICLE A - Human Relations Commission**

- **Sec. 4-3-1 - Purpose.**

The general purposes of this article are to:

- (a) Provide for execution within the city of the policies embodied in title VIII of the Federal Civil Rights Act of 1968, as amended.
 - (b) Secure for all persons within the city freedom from discrimination because of race, color, religion, national origin, sex, handicap or familial status in real estate transactions.
- (Ord. No. 6503/07-98, § 2, 11-5-07)

- **Sec. 4-3-2 - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commission means the High Point **Human Relations** Commission.

Director means Director of **Human Relations** Department of the City of High Point.

Discriminatory practice means an act that is unlawful under this article.

Dwelling means any building, structure, manufactured home or mobile home, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one (1) 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.

Dwelling unit means any room or group of rooms located within a dwelling and forming a single, habitable unit with facilities, which are used or intended to be used for living, sleeping, cooking and eating.

Familial status means one (1) or more individuals, who have not attained the age of 18 years, being domiciled with:

- (1) A parent or other person having legal custody of such individual; or

(2)The designee of such parent or other person having such custody with the written permission of such 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 an individual who has not attained the age of 18 years.

Family includes a single individual.

Handicap means, with respect to a person:

(1)A physical or mental impairment, which substantially limits one (1) or more major life activities;

(2)A record of having such an impairment; or

(3)Being regarded as having such an impairment; but such term does not include current, illegal use of or addiction to a controlled substance, as defined in section 102 of the Controlled Substances Act (21 USC 82).

National origin includes the national origin of an ancestor.

Person includes one (1) or more individuals, political subdivisions of the state and instrumentalities thereof, including the city or any governmental entity or agency thereof, partnerships, associations, corporations, legal representatives, mutual companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, or any other legal or commercial entity.

Real estate broker and *real estate salesperson* mean a person, whether licensed or not, who, on behalf of others, for a fee, commission, salary, or other valuable consideration, or who, with the intention or expectation of receiving or collecting a fee, commission, salary, or other valuable consideration, lists, sells, purchases, exchanges, rents, or leases real property, or the improvements thereon, including options; who negotiates or attempts to negotiate on behalf of others such an activity or who advertises or holds himself out as engaged in such activities; who negotiates or attempts to negotiate on behalf of others a loan secured by mortgage or other encumbrances upon real property; who is engaged in the business of listing real property in a publication; or a person employed by or acting on behalf of any of these.

Real estate transaction includes the sale, exchange, rental, or lease of real property, or of an interest therein.

Real property includes buildings, structures, real estate, lands, tenements, leaseholds, cooperatives, condominiums, and hereditaments, corporeal and incorporeal, or any interest therein.

(Ord. No. 6503/07-98, § 3, 11-5-07)

- **Sec. 4-3-3 - Discriminatory practices unlawful.**

It is unlawful to commit or to attempt to commit, directly or indirectly, a discriminatory practice as defined in this article.

(Ord. No. 6503/07-98, § 4, 11-5-07)

- **Sec. 4-3-4 - Discrimination in real estate transactions.**

Except where exempted pursuant to [section 4-3-6](#) of this article, it shall be unlawful to:

- (1) Refuse to sell or rent or receive or fail to transmit a bona fide offer to engage in a real estate transaction because of race, color, religion, sex, familial status or national origin of a person or any other person residing with that person or of friends or associates of that person.
- (2) Refuse to negotiate or engage in a real estate transaction with a person because of race, color, religion, sex, familial status or national origin of a person or any other person residing with that person or of friends or associates of that person.
- (3) Otherwise make unavailable or deny a dwelling based on discrimination because of the race, color, religion, sex, familial status or national origin of a person or any other person residing with that person or of friends or associates of that person.
- (4) Discriminate against a person in the terms, conditions or privileges of a real estate transaction or in the provision of services or facilities in connection therewith because of the race, color, religion, national origin, sex or familial status of a person or of any other person residing with that person or of friends or associates of that person.
- (5) Represent to any person that real property is not available for inspection, sale, rental or lease when, in fact, it is so available or fail to bring a property listing to a person's attention or refuse to permit a person to inspect real property because of the race, color, religion, national origin, sex, handicap or familial status of a person or of any other person residing with that person or of friends or associates of that person.
- (6) Make, print, circulate, post, mail or cause to be so published a statement, advertisement or sign or use a form of application for a real estate transaction or make a record or inquiry in connection with a prospective real estate transaction which indicates, directly or indirectly, an intent to make a limitation, preference or discrimination based on race, color, religion, national origin, sex, handicap or familial status of a person or of any other person residing with that person.
- (7) Offer, solicit, accept, use or retain a listing of real property with the understanding that a person may be discriminated against in a real estate transaction or in the provision of facilities or services in connection therewith because of race, color, religion, sex, handicap, familial status or national origin of a person or any other person residing with that person or of friends or associates of that person.

(Ord. No. 6503/07-98, § 5, 11-5-07)

- **Sec. 4-3-5 - Discrimination based on disability.**

(a)

For the purposes of this article, discrimination based on disability includes the following:

- (1) A refusal to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises; except that, for a rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter's agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted;
- (2) A refusal to make reasonable accommodations in rules, policies, practices or services when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling; or

(3) In connection with the design and construction of covered multifamily dwellings for first occupancy after March 13, 1991, a failure to design and construct those dwellings in such a manner that:

a. The dwellings have at least one (1) building entrance on an accessible route unless it is impractical to do so because of the terrain or unusual characteristics of the site.

b. With respect to dwellings with a building entrance on an accessible route:

1. The public use and common use portions of such dwellings are readily accessible to and usable by handicapped persons;

2. All the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and

3. All premises within such dwellings contain the following features of adaptive design with:

i. An accessible route into and through the dwelling;

ii. Light switches, electrical outlets, thermostats and other environmental controls in accessible locations;

iii. Reinforcements in the bathroom walls to allow later installation of grab bars; and

iv. Usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.

Compliance with requirement 1, section 5, Guidelines of Department of Housing and Urban Development Fair Housing Accessibility Guidelines (24 CFR 1) suffices to satisfy the requirements of subsection (a)(3)a. of this section.

Compliance with the appropriate requirements of the American National Standards Institute for buildings and facilities providing accessibility and usability for physically handicapped people (commonly cited as "ANSI A117.1") or comparable standards suffices to satisfy the requirements of subsection (a)(3)b.3 of this section except where the city's building standards exceed those requirements.

For purposes of this subsection, covered multifamily dwellings shall be deemed to be designed and constructed for first occupancy on or before March 13, 1991, if they are occupied by that date or if the last building permit or renewal thereof for those dwellings is issued on or before January 13, 1990. As used in this subsection, the term "covered multifamily dwellings" means buildings consisting of four (4) or more units if such buildings have one (1) or more elevators and ground floor units in other buildings consisting of four (4) or more units.

(b)

Except where exempted pursuant to [section 4-3-6](#) of this article, it shall be unlawful to discriminate:

(1) In the sale or rental or otherwise make unavailable or deny a dwelling to any buyer or renter because of a handicap of:

a. That buyer or renter;

b. A person residing in or intending to reside in that dwelling after it is sold, rented or made available; or

c. Any person associated with that buyer or renter.

(2) 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 with such dwelling because of a handicap of:

- a. That person;
- b. A person residing in or intending to reside in that dwelling after it is so sold, rented or made available; or
- c. Any person associated with that person.

(Ord. No. 6503/07-98, § 6, 11-5-07)

• **Sec. 4-3-6 - Exemptions.**

(a)

The provisions of [section 4-3-4](#), other than subsection (6), do not apply:

(1) To the rental of a dwelling unit in a building containing dwelling units for not more than four (4) families living independently of each other if the lessor resides in one (1) of those dwelling units.

(2) To the rental of a room in a dwelling unit by an individual if the lessor resides therein.

(3) With respect to discrimination based on sex, the rental or leasing of dwelling units in single-sex dormitory property.

(4) With respect to discrimination based upon religion, dwelling units owned and operated for other than a commercial purpose by 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; the sale, rental or occupancy of such dwelling unit being limited or preference being given to persons of the same religion unless membership in such religion is restricted because of race, color, national origin, sex, handicap or familial status.

(5) To any person subject to this article who adopts and carries out a plan to eliminate present effects of past discriminatory practices or to ensure equal opportunity in real estate transactions if the plan is part of a conciliation agreement entered into by that person under this article and is filed with the commission under the rules of the commission and the commission has not disapproved the plan.

(b) With respect to discrimination based upon familial status, nothing in this article limits the applicability of any reasonable city, state or federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling unit, nor does any section in this article regarding familial status apply with respect to housing for older persons.

(1) As used in this subsection, housing for older persons means housing:

a. Provided under any local, state, or federal program that the United States Secretary of Housing and Urban Development determines is specifically designed and operated to assist elderly persons, as defined in the local, state, or federal program;

b. Intended for, and solely occupied by, persons 62 years of age or older; or

c. Intended and operated for occupancy by persons 55 years of age or older and:

1. At least 80 percent of the occupied units are occupied by at least one (1) person who is 55 years of age or older;

2. The housing facility or community publishes and adheres to policies and procedures that demonstrate the intent required under this subsection; and

3. The housing facility or community complies with rules issued by the United States Secretary of Housing and Urban Development for verification of occupancy, which shall:

- i. Provide for verification by reliable surveys and affidavits; and
- ii. Include examples of the types of policies and procedures relevant to the determination of compliance with the requirement of subsection (b)(1)c.2 of this section. Such surveys and affidavits shall be admissible in administrative and judicial proceedings for the purposes of such verification.

(2) Housing shall not fail to meet the requirements for housing for older persons by reason of:

- a. Persons residing in such housing as of December 28, 1995, who do not meet the age requirements of subsection (b)(1)b. or (b)(1)c. of this section, provided that new occupants of such housing meet the age requirements of subsection (b)(1)b. or (b)(1)c. of this section; or
- b. Unoccupied units, provided that such units are reserved for occupancy by persons who meet the age requirements of subsection (b)(1)b. or (b)(1)c. of this section.

(3) Nothing in this article prohibits conduct against a person because such person has been convicted by any court of competent jurisdiction of the illegal manufacture or distribution of a controlled substance as defined in section 102 of the Controlled Substance Act (21 USC 802).

(4)

- a. A person shall not be held personally liable for monetary damages for a violation of this article if such person reasonably relied, in good faith, on the application of the exemption under this subsection **relating** to housing for older persons.
- b. For the purposes of this subsection, a person may show good-faith reliance on the application of the exemption only by showing that:
 1. Such person has no actual knowledge that the facility or community is not, or will not be, eligible for such exemption; and
 2. The facility or community has stated formally, in writing, that the facility or community complies with the requirements of such exemption.

(Ord. No. 6503/07-98, § 7, 11-5-07)

• **Sec. 4-3-7 - Discrimination in residential real-estate-**related** transactions.**

(a)

It shall be unlawful for any person whose business includes engaging in residential real-estate-**related** transactions to discriminate against any person in making available such a transaction or in the terms or conditions of such a transaction because of race, color, religion, national origin, sex, handicap or familial status.

(b) As used in this section, the term "residential real-estate-**related** transaction" means:

- (1) The making or purchasing of loans or providing other financial assistance:
 - a. For purchasing, constructing, improving, repairing or maintaining a dwelling; or
 - b. Secured by residential real estate.
- (2) The selling, brokering or appraising of residential real property.

(Ord. No. 6503/07-98, § 8, 11-5-07)

• **Sec. 4-3-8 - Discrimination in provision of brokerage services.**

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 the terms or conditions of such access, membership, or participation, on account of race, color, religion, sex, handicap, familial status, or national origin.

(Ord. No. 6503/07-98, § 9, 11-5-07)

• **Sec. 4-3-9 - Other unlawful practices.**

(a) It is an unlawful practice for any person against whom a complaint has been filed under this article to fail to preserve or to fail to make available to the commission or its duly authorized representative any evidence or possible sources of evidence with regard to that complaint.

(b) It is an unlawful practice for a person, for profit, to induce or attempt to induce any person to sell or rent any real property by representations regarding the entry or prospective entry into the neighborhood of a person of a particular race, color, religion, national origin, sex, handicap or familial status.

(c) Restrictive covenants and conditions are subject to the following:

(1) Every provision in an oral agreement or a written instrument relating to real property which purports to forbid or restrict the conveyance, encumbrance, occupancy or lease thereof to individuals of a specified race, color, religion, national origin, sex, handicap or familial status is a discriminatory practice and is void.

(2) Every condition, restriction, or prohibition, including a right of entry or possibility of reverter, which directly or indirectly limits the use or occupancy of real property on the basis of race, color, religion, national origin, sex, handicap or familial status is a discriminatory practice and is void, except a limitation of use on the basis of religion of real property held by a religious or charitable organization operated, supervised or controlled by a religious institution or organization and used for religious or charitable purposes.

(3) It is an unlawful practice to insert in a written instrument relating to real property a provision that is void under this section or to honor or attempt to honor such a provision in the chain of title.

(d) It is an unlawful practice for a person, as a party to a conciliation agreement made under this article, to violate the terms of the agreement.

(e) It is an unlawful practice to:

(1) Retaliate or discriminate in any manner against a person because he has opposed a practice declared unlawful by this article or because he has made a charge, filed a complaint, testified, assisted or participated in any manner in any investigation, proceeding, or hearing under this article;

(2) Aid, abet, incite, compel or coerce a person to engage in any of the acts or practices declared unlawful by this article;

(3) Obstruct or prevent a person from complying with this article or any order issued under this article;

(4) Resist, prevent, impede, or interfere with the commission or any of its members or representatives in the lawful performance of duty under this article; or

(5) 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 this article.

(Ord. No. 6503/07-98, § 10, 11-5-07)

- **Sec. 4-3-10 - Acting for another person no defense.**

It shall be no defense to a violation of this article by a person that the violation was requested, sought, or otherwise procured by another person.

(Ord. No. 6503/07-98, § 11, 11-5-07)

- **Sec. 4-3-11 - Enforcement, relief.**

(a) An action alleging a violation of this article may be filed in the Superior Court by the City of High Point by authorization of the High Point City Council. Such an action may also be filed by an aggrieved person not later than two (2) years after the occurrence or termination of an alleged discriminatory practice. If the city has filed an action, an aggrieved person's timely motion to intervene shall be granted.

(b) If it shall be determined by the court that a discriminatory practice has occurred, an order shall issue granting relief to those persons who have suffered the effects of such discrimination. Before relief may be granted, it shall not be necessary for the court to find that intentional discrimination has occurred. It shall be sufficient that the respondent's action or failure to act was intentional and has resulted in unlawful discrimination.

(c) The court may grant as relief, as it deems appropriate, any permanent or temporary injunction, temporary restraining order, or other order, and may award to the plaintiff actual damages, including compensation for humiliation and embarrassment, and punitive damages, together with court costs and reasonable attorney's fees in the case of a prevailing plaintiff.

(Ord. No. 6503/07-98, § 12, 11-5-07)

- **Sec. 4-3-12 - Additional powers of commission.**

The Commission shall, in addition to its powers as otherwise set forth in this article, have power to:

- (1) Receive, initiate, investigate, seek to conciliate and conduct hearings on complaints filed under this article; make recommendations to parties named in such complaints; and approve or disapprove plans to eliminate or reduce the effects of discriminatory practices and monitor compliance with such plans.
- (2) With the approval of the city manager and the city attorney, require answers to interrogatories and the production of documents and other tangible things for the purpose of inspection, copying or translating; administer oaths and examine witnesses under oath or affirmation and compel the attendance of witnesses at hearings, depositions and other examinations by the commission or its agents and the production of documents and other tangible things. Witnesses whose depositions are taken or who are summoned before the commission or its agents shall be entitled to the same witness and mileage fees as are paid to witnesses in the courts of this state.
- (3) With the approval of the city manager and city attorney, submit to parties in a complaint requests for admission of the truth of any matter, not privileged, that is relevant to the complaint. A request for admission submitted under the authority of this subsection shall be governed, so far as practically possible, by the procedures for requests for admission provided in the North Carolina Rules of Civil Procedure, except that any admission made by a party

under this subsection shall be for the purpose of the pending complaint, any subsequent public hearing by the commission upon the complaint, and any subsequent civil action, arising from the complaint, filed by the commission or by any aggrieved person pursuant to section 12 of this article.

- (4) With the approval of the city manager and city attorney, apply to the court, upon the failure of any person to respond to or comply with a lawful interrogatory, subpoena, request for admission, or request for the production of relevant evidence or possible sources of evidence, for an order requiring such person to respond to or comply with the interrogatory, subpoena, request for admission, or request for the production of relevant evidence or possible sources of evidence. The court shall have jurisdiction to issue such order after notice to all proper parties. On petition of the person to whom the subpoena is directed, the court may vacate or modify the subpoena.
- (5) Recommend that the city apply to the court for appropriate temporary or preliminary relief pending final disposition of a complaint if the commission concludes that such action is necessary to carry out the purposes of this article.
- (6) Adopt, promulgate, amend, and rescind such rules and regulations to effectuate the purposes and policies of this article and the policies and practices of the commission in connection therewith, including regulations requiring the posting or inclusion in advertising material of notices prepared or approved by the commission, and regulations as to filing, approval or disapproval of plans to eliminate or reduce the effects of discriminatory practices. The commission may authorize any member or member of its staff to exercise the powers of the commission set forth in this article in the performance of its official duties as specified in this article and the rules and regulations. Such rules and regulations shall be approved by the city council and shall only be adopted, amended or rescinded after holding a public hearing, notice of which shall be published once at least 10 days before the date of the hearing in a newspaper published within the jurisdiction of the local governing body. A copy of the text of the proposed rule, amendment or rescission shall be available for public inspection and copying at the offices of the commission.

(Ord. No. 6503/07-98, § 13, 11-5-07)

• **Sec. 4-3-13 - Procedures for conciliation.**

(a)

Under this article, a person claiming to be aggrieved by a discriminatory practice, his agent or a member of the commission may file a written complaint with the commission within one (1) year after the alleged violation occurred or terminated, setting forth the facts upon which the complaint is based and setting forth facts sufficient to enable the commission to identify the person charged (referred to as "respondent"). Upon the filing of a complaint, the commission shall:

- (1) Serve notice upon the complainant acknowledging the filing and advising the complainant of the time limits and choice of forums provided under the law; and
- (2) Promptly serve notice of the complaint on the respondent, advising the respondent of his procedural rights and obligations under this article, together with a copy of the complaint. The respondent may file an answer to the complaint.

(b) The commission shall begin the investigation of a complaint within 30 days after receipt of the complaint and shall complete the investigation within 100 days after receipt unless it is impractical to do so. If the investigation is not completed within that time, the commission shall notify the complainant and respondent in writing of the reason for not doing so. The commission shall make final administrative disposition of a complaint within one (1) year after the receipt of a complaint

unless it is impractical to do so. If the commission is unable to do so, it shall notify the complainant and respondent, in writing, of the reasons for not doing so.

(c) If it is decided by the commission that, based on the results of its investigation, there is not reasonable cause to believe the respondent has engaged in a discriminatory practice, the commission shall notify the complainant and the respondent in writing of its decision within 10 days after such decision has been made. A finding of no reasonable cause by the commission shall not preclude the complainant's private right of action.

(d) Unless the commission has notified the complainant and the respondent that there is not reasonable cause to believe the respondent has engaged in a discriminatory practice, the commission shall endeavor to eliminate the alleged discriminatory practice by conference, conciliation and persuasion. Any conciliation agreement arising out of conciliation efforts by the commission shall be an agreement between the respondent and the complainant and shall be subject to the approval of the commission. Each conciliation agreement shall be made public unless the complainant and the respondent otherwise agree and the commission determines that disclosure is not required to further the purposes of this article.

(e) A conciliation agreement negotiated by the commission may include, but is not limited to, the following:

- (1) Sale, exchange, lease, rental, assignment, or sublease of real property to a person.
- (2) Extension to all persons of the full and equal enjoyment of the advantages, facilities, privileges and services of the respondent.
- (3) Reporting as to the manner of compliance.
- (4) Posting of notices in conspicuous places in the respondent's place of business in a form prescribed by the court or the committee.
- (5) Payment to the complainant of actual damages, including compensation for humiliation and embarrassment, and reasonable attorney's fees.

(f) At any time but not later than one (1) year from the date of a conciliation agreement, the commission shall investigate whether the terms of the agreement are being complied with by the respondent. Upon deciding that the terms of the agreement are not being complied with by the respondent, the commission shall take appropriate action to ensure compliance.

(g) Hearings shall be conducted as follows:

- (1) Unless the commission has decided that there is no reasonable cause to believe that a discriminatory practice has occurred, or unless it has negotiated a conciliation agreement, the commission shall hold a hearing, after proper notice and under rules and procedures adopted by the commission under this article, at which the presence of the complainant, the respondent, and any witnesses and records designated by the commission may be required.
- (2) If the commission determines as a result of the hearing that the respondent has not engaged in a discriminatory practice, the commission shall state its findings of fact and conclusions of law and shall issue an order dismissing the complaint and furnish a copy of the order to the complainant, the respondent, the city attorney, and such other persons as the commission deems proper.
- (3) If the commission determines that the respondent has engaged in a discriminatory practice, the commission shall state its findings of fact and conclusions of law and, if a conciliation agreement has not been negotiated, shall file an action alleging a violation of this article in the court. A copy of the findings and of any negotiated conciliation agreement shall be delivered to the complainant, the respondent, the city attorney, and such other persons as the commission deems proper.

(h)After a finding is made by the commission following a hearing, the commission may publish or cause to be published the name of a person whom it has determined to be engaged in a discriminatory practice and the terms of any conciliation agreement.

(i)Every person subject to this article shall make, keep, and preserve records relevant to the determination of whether discriminatory practices have been or are being committed, such records being maintained and preserved in a manner and to the extent required under the Civil Rights Act of 1968 and any regulations promulgated thereunder. Nothing in this article shall be interpreted to require the making, keeping, and preserving of records other than and except as required under the Civil Rights Acts of 1968 and any regulations promulgated thereunder.

(j)In connection with a complaint filed under this article, the commission or its designated representative shall have access at any reasonable time to premises, records and documents relevant to the complaint, and the right to examine, photograph, and copy evidence.

(k)Neither a complaint filed pursuant to this article nor the results of the commission's investigations, discovery, or attempts at conciliation, in whatever form prepared and preserved, shall be subject to inspection, examination, or copying under G.S. ch. 132.

(l)The provisions of G.S. 143-318.9 et seq. shall not be applicable to the activities of the commission to the extent that it is receiving a complaint or conducting an investigation, discovery, or conciliation pertaining to a complaint filed pursuant to this article.

(m)No portion of this article shall be construed to authorize the commission to make a final determination concerning the allegations of a complaint. The commission's authority and power shall not exceed receiving, investigating and attempting to conciliate complaints, monitoring compliance with the terms of conciliation agreements, and, where warranted, commencing an action in the court alleging the violation of this article and any other powers granted by this article.

(Ord. No. 6503/07-98, § 14, 11-5-07)

The City of Reidsville

TITLE	The Human Relations Commission
PURPOSE	The Human Relations Commission serves as an advisory body to the whole community of Reidsville on matters of broad community concern, including research and education rather than investigation. The Commission does not serve as a grievance board.
MEMBERSHIP	11; 9 members must be City residents while the other two members can either work in the City or reside in the County; 5 current vacancies; 3 year terms
BUDGET	Approximately \$2,000 per year
STAFF RESOURCES	1 staff member provides administration support.

Chapter 9.5 - HUMAN RELATIONS COMMISSION

FOOTNOTE(S):

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Editor's note— An ordinance of Jan. 13, 1999 added a new chapter 19 entitled "Human Relations Commission." In order to preserve the alphabetical sequence of chapters, the editor, with the consent of Angela Stadler, city clerk, has codified said ordinance as chapter 9.5

Sec. 9.5-1. - Commission created.

Be it ordained by the mayor and city council of the city that a Human Relations Commission is hereby created.

(Ord. of 1-13-99)

Sec. 9.5-2. - Membership appointments; terms of office; vacancies; compensation.

- (a) The human relations commission should be composed of nine (9) residents of the city who shall be appointed by the city council. In addition, the city council shall appoint two (2) citizens who shall also either work in the city or reside in the county. Upon the expiration of the initial terms, all subsequent appointments shall be for terms of three (3) years. In addition, a member of the city council shall be appointed by the mayor as a liaison to the commission. In appointing membership to this commission, the city council shall take into account the need for its membership to be a representation of the cultural diversity of the community in and around the city. To the extent possible, where applicants are available, endeavors shall be made to appoint members who are Caucasian, African-American, Hispanic, Asian-American, including anyone from any of these ethnic groups who may be disabled. In addition, preference will be given to keeping the commission gender and aged balanced.
- (b) Term limits for members of the human relations commission are governed by section 2-10 of this Code.
- (c) Vacancies in the positions occurring for reasons other than expiration of term shall be filled as they occur for a period of one (1) full term.
- (d) Faithful attendance to the meetings of the commission is considered a pre-requisite for the maintenance and membership on the commission. Any member who misses three (3) consecutive or four (4) meetings in a 12-month period shall be considered to automatically have resigned this appointment to

the commission. A member terminated for lack of attendance may appear before the city council and request reinstatement.

- (e) The commission shall meet no less than quarterly and no more frequently than monthly unless, in the opinion of the chairman, the urgency of business necessitates more frequent meetings.
- (f) Meetings shall be held at a place mutually convenient and comfortable for all the members as designated by the chairman.
- (g) Members of the commission shall not be compensated for their service, but the city council may appropriate funds to cover the activities of the commission, including meeting expenses, expenses of record-keeping or correspondence and, subject to the travel policy of the city, travel and training activities. In addition, the city council may appropriate funds to carry out special programs.

(Ord. of 1-13-99; Ord. of 1-8-03, Pt. I; Ord. of 8-13-03(1), Pt. I; Ord. of 3-9-05, Pt. I; Ord. of 9-9-08, Pt. I)

Sec. 9.5-3. - Appointment of officers; adoption of bylaws.

Once appointed, the members of the commission shall choose a chairman and a vice-chairman. The chairman shall serve as chairman for the length of his/her term or until his resignation, or his/her removal from that position by a majority vote of the remaining members of the commission. The commission shall also appoint a secretary who shall be responsible for keeping the minutes of the commission meetings and for handling correspondence as directed by the chairman or the commission. In addition, the commission may appoint other officers as they deem appropriate to efficiently conduct the business of the commission.

(Ord. of 1-13-99)

Sec. 9.5-4. - Procedures.

Unless otherwise adopted by the commission, activities of the commission shall be governed by Robert's Rules of Order.

(Ord. of 1-13-99)

Sec. 9.5-5. - General duties and functions of the commission.

- (a) *Purpose.* The commission shall serve as an advisory body to the whole community on matters of a broad community concern. Generally, the commission's purpose shall be to do research and education on matters within its purview, rather than to undertake investigative activities. The commission shall have no authority but rather should be advisory in nature.
- (b) *It shall be the duties of the commission in general:*
 - (1) To encourage understanding and good will between all citizens regardless of race, sex, religion, creed, nationality or economic status, thus promoting the general welfare and peaceful environment of the community.
 - (2) To identify concerns within the community which could jeopardize the well-being or the peaceful interaction of the community.
 - (3) To pursue the goal in bringing about better human relations by studying problems, and promoting communication among various groups.
 - (4) To proactively carry out at least three (3) activities per year to highlight the importance of understanding, fair treatment, and harmony within the community.
 - (5) To develop and conduct educational and awareness programs to promote fairness and respect in dealings between people of all racial, religious, ethnic and economic backgrounds.

(c) *It shall not be the duty or responsibility of the human relations commission to:*

- (1) Serve as a grievance board for any group of citizens, individual or organization, wishing to involve the commission in matters of private concern.
- (2) To conduct investigations into specific activities by individuals or businesses within the community regarding proprietary or private activities.
- (3) Serve as an advocate for any individual or group wishing to develop legal positions against other groups or businesses within the community.
- (4) To advise or assist in matters solely related to employment practices.

(Ord. of 1-13-99)

Sec. 9.5-6. - Annual work plan.

The commission shall meet at least annually with the city council, preferably during the budget preparation process, to make an annual report on the previous year's activities. Subject to this meeting, the city council may make an appropriation to assist with the funding of the activities of the commission.

(Ord. of 1-13-99)

Sec. 9.5-7. - Authority to contract, obligate city.

The commission shall have no authority to enter into any contracts or incur any obligation binding upon the city except as authorized by the city council of the city.

(Ord. of 1-13-99)

Sec. 9.5-8. - Deposit of funds.

The commission may receive contributions from other public and private organizations to facilitate and promote their activities. All such funds shall be handled by the finance director of the city in accordance with all applicable of state and federal regulations and generally accepted accounting principles.

(Ord. of 1-13-99)

Sec. 9.5-9. - Advisory committee.

The commission may petition the city council to form an advisory committee of up to twenty-five (25) persons with special interest and expertise in matters of concern to the commission. If appointed by the city council, this committee shall serve as a resource to the commission in an advisory, an as-needed basis. Members of the committee shall not be voting members of the commission. If appointed by the city council, terms of office and residency requirements will be established at that time.

(Ord. of 1-13-99)