ORDINANCE NO. 09- 2011

AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, RELATING TO HUMAN RIGHTS, PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF BEREA, KENTUCKY, BE AMENDED BY ADDING SECTIONS 22.700 - 22.708, PROVIDING FOR THE ESTABLISHMENT OF A HUMAN RIGHTS COMMISSION.

BE IT ORDAINED by the City Council of the City of Berea, Kentucky as follows:

SECTION I

That the Code of Ordinances of the City of Berea, Kentucky, be amended by adding §§ 22.700 - 22.708, so that such Sections shall read as follows:

§22.700 PURPOSE.

It is the public policy of the City of Berea to promote fair treatment and equal opportunity for all people regardless of race, color, religion, national origin, sex, age or physical disability of any

type.

§22.701 DEFINITIONS.

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

Commission: The Commission on Human Rights.

Commissioner: A member of the Commission.

Discrimination: Any direct or indirect act or practice of exclusion, distinction, restriction, segregation, limitation, refusal, denial or any other act or practice or differentiation or preference in the treatment of a person because of race, color, religion, national origin, sex, age or physical disability of any type.

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§22.702 CREATION OF COMMISSION.

There is hereby created a Commission on Human Rights. It shall consist of seven members who shall be appointed by the Mayor on a non-partisan basis and shall be broadly representative of employers, proprietors, trade unions, human rights groups, and the general public. Of the first members appointed, three shall be appointed for one year; two shall be appointed for two years, and two for three years; after the first appointments, all appointments shall be for a term of three years. A member chosen to fill a vacancy otherwise than by expiration of a term shall be appointed for the unexpired term of the member who he/she is to succeed. A member of the Commission is eligible for reappointment. Before making new appointments, the Mayor shall request the recommendations of the Commission and the City Council. No elected or appointed city official shall be a member of the Commission. The members shall serve without compensation.

§22.703 FUNCTIONS.

(A) The Commission shall encourage fair treatment and equal opportunity for all people regardless of race, color, religion, national origin, sex, age or physical disability of any type and shall promote mutual understanding and respect among all economic, social, racial, religious, sex, age, and ethnic groups; and shall endeavor to eliminate discrimination against, and antagonism between, religious, racial, sex, age, physical disability of any type, and ethnic groups and their members.

(B) The Commission shall administer such enforceable ordinances and resolutions forbidding discrimination as the City Council of the city may enact and specifically authorize the Commission to enforce.

§22.704 POWERS AND DUTIES.

In performing its functions, the Commission shall have the following powers and duties:

(A) To conduct or arrange for research projects and studies into, and publish reports on

discrimination and progress in equal opportunity in the community;

(B) To accept gifts or bequests, grants or other payments, public or private, to help finance its activities;

(C) To receive, initiate, investigate, seek to conciliate, and hold hearings on complaints alleging discrimination in order to make specific recommendations to the City Council and the Mayor;

(D) To recommend methods for elimination of discrimination and inter-group tensions, and to use its best efforts to secure compliance with the recommendations;

(E) To cooperate with inter-group relations agencies, both public and private, on the local, state and national level in performing its functions under this subchapter;

(F) To cooperate with the various departments, agencies, and boards of the city in effectuating the purposes of this subchapter;

(G) To enlist the support of civic, labor, religious, professional, educational organizations and institutions in community activities and programs that will further the goals of this subchapter;

(H) To organize community committees and councils that will work toward the goals of this subchapter;

(I) To recommend legislation to the city legislative body and modes of executive action to the Mayor that will effectuate the purpose of this subchapter; and

(J) To submit an annual report of its activities of the progress and problems in intergroup relations in the community to the Mayor and the City Council.

§22.705 COOPERATION OF CITY DEPARTMENTS.

The services of all other city departments, agencies, and boards shall be made available to

the Commission upon its request. Information in the possession of any city department, agency or board shall be furnished to the Commission upon its request, and to the extent permitted by law.

§22.706 ELECTION OF OFFICERS.

The Commission shall elect a chairman and vice-chairman, a secretary-treasurer, and such other officers as it deems necessary. The chairman of the Commission shall appoint such committees as the Commission may deem necessary in order to carry out its functions.

§22.707 BUDGET.

The Commission shall submit a proposed budget for receipts and expenditures to the Mayor and City Council, and the proposed budget shall be reviewed and revised by the Mayor and City Council in the same process as other city departments. The secretary-treasurer of the Commission shall make a semi-annual financial report to the Mayor and City Council.

§22.708 RELATIONSHIP WITH KENTUCKY COMMISSION ON HUMAN RIGHTS.

The Commission shall, when requested, act in an advisory capacity to and otherwise cooperate with the Kentucky Commission on Human Rights wherever possible to effectuate compliance with state laws. The Commission is authorized to enter cooperative working agreements with the Kentucky Commission on Human Rights whenever enforceable ordinances forbidding discrimination are enacted which are in conformity with state law.

SECTION II

This Ordinance shall be published according to law.

FIRST READING: July 19, 2011. SECOND READING AND ENACTMENT: Sept 20, 2011.