

# **CITY OF BEREAA, KENTUCKY HUMAN RIGHTS COMMISSION BY-LAWS**

## ARTICLE I- NAME

The name of this organization shall be the City of Berea, Kentucky Human Rights Commission, as established by Ordinance No. 09-2011, and hereinafter shall be referred to as the “Commission”.

## ARTICLE II – PURPOSE

The Commission shall work toward achieving mutual respect and understanding among all individuals and groups in the City of Berea, hereinafter referred to as the “City”, through improving the quality of public discourse and eliminating unlawful discrimination.

## ARTICLE III – FUNCTION

(A) The Commission shall encourage fair treatment and equal opportunity for all people regardless of race, color, religion, national origin, sex, sexual orientation, gender identity, age or physical disability of any type and shall promote mutual understanding and respect among all economic, social, racial, sexual orientation, gender identity, religious, sex, age and ethnic groups; and shall endeavor to eliminate discrimination against, and antagonism between, religious, racial, sex, sexual orientation, 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 of Berea may enact and specifically authorize the Commission to enforce.

## ARTICLE IV – 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 its 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 of inter-group relations in the community to the Mayor and the City Council.

#### ARTICLE V – COMPLAINT PROCEDURES

The Commission shall adopt complaint procedures which shall constitute the procedures by which an individual claiming to be aggrieved by a discriminatory practice, such individual's agent, or the City Attorney may file with the Commission a written complaint stating that a discriminatory practice has allegedly been committed.

#### ARTICLE VI – MEMBERSHIP

##### GENERALLY:

(A) The Commission 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 shall be appointed 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.

(B) Commissioners must be residents of the City at the time of their appointment and throughout their tenure.

(C) A member who seeks to resign from the Commission shall submit a written resignation to the Chairperson and the Mayor. It is requested that if possible the resignation allow for a thirty (30) day notice to allow for the appointment of a successor.

OFFICERS: The Commission shall elect a Chairperson and Vice-Chairperson, a Secretary-Treasurer and such other officers as it deems necessary. The Chairperson of the Commission shall appoint such committees as the Commission may deem necessary in order to carry out its functions. The Chairperson shall preside at Commission meetings, represent the Commission at all public functions and approve the final meeting agenda for all meetings. The Vice-Chairperson shall stand in for the Chairperson in the chair's absence and the Secretary-Treasurer shall preside if both the Chair and Vice-Chair are absent.

#### ARTICLE VII – MEETINGS

QUORUM: Greater than 50% of the then-sitting members shall constitute a quorum for the purpose of conducting business.

(A) Regular meetings of the Commission shall be conducted at least nine (9) times a year on a day and time that is agreed to by the Commission. Minutes shall be taken at every meeting and the responsibility of taking minutes shall reside with the Secretary-Treasurer or designee.

The date, time and location shall be made known to the media and the public by posting notice of these meetings regularly on a bulletin board at City Hall and on the websites of the Commission and the City.

(B) Special meetings of the Commission may be called by the Chairperson or by and four (4) members of the Commission, upon notice to all members of the Commission. Meeting notices must be delivered personally or by mail at least forty-eight (48) hours before the time of such meeting. The call and notice shall specify the time and place of such meeting and the nature of the business to be transacted. No other business except that specified in the notice shall be transacted at the meeting.

(C) Notice of special meetings shall be made known to the media and the public through similar methods as regular meetings with special attention given to make notice of these meetings known.

(D) All regular and special meetings of the Commission as well as the records of such meetings shall be open to the public in accordance with Kentucky Open Meetings Laws as contained in KRS 61.800 to 61.850 and 61.991 and the Kentucky Open Records Laws as contained in KRS 61.870 to 61.884, 61.991, 7.119, 26A.200, 15.257, 171.223, 65.055, 160.395, and 164.465.

(E) If any member misses three (3) consecutive meetings or six (6) meetings of the Commission during a calendar year, the position held by said member shall be vacated upon certification to the Mayor by the Commission. This may not apply to absences due to illness or injury of the Commission member. Records of attendance shall be made part of the official records of the meetings of the Commission as recorded by the Secretary-Treasurer.

(F) If a quorum for any meeting does not convene within 30 minutes of the posted time the Chairperson shall reschedule the meeting for a future date and no official meeting may be held.

(G) Citizens may address the Commission at any regular meeting without appearing on the agenda. The chair may limit a speaker to five (5) minutes.

#### ARTICLE VIII – COOPERATION OF CITY GOVERNMENTS

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.

#### ARTICLE IX – BUDGET

The Commission shall submit a proposed budget for receipts and expenditure to the Mayor and the 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.

#### ARTICLE X – CONFLICT OF INTEREST

Any Commissioner who has a conflict of interest in any matter before the Commission, whether actual or apparent, shall recuse themselves from all business related to that matter.

ARTICLE XI - 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 whenever 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 state law.

ARTICLE XII – AMENDMENTS

Amendments to the by-laws of the Commission may only be made at regularly scheduled meetings of the Commission for which an appropriate agenda item was established. It shall require an affirmative vote of no less than two-thirds of the then-sitting members of the Commission to approve any amendments to the by-laws.