

Chapter 8A

FAIR HOUSING

SECTION 8A-1. Declaration of Policy. [Ord. No. 94-26 § 1, 11-22-1994]

The City Council of the City of Lexington hereby declares it to be the public policy of the City to eliminate discrimination and safeguard the right of any person to see, purchase, lease, rent, or obtain real property without regard to race, sex, color, national origin, ancestry, religion, religious affiliation, handicap, and without regard to whether a family has children. This Chapter shall be deemed an exercise of the Police powers of the City of Lexington, Missouri, for the protection of the public welfare, prosperity, health, and peace of the people of Lexington, Missouri.

SECTION 8A-2. Definitions. [Ord. No. 94-26 § 2, 11-22-1994; Ord. No. 98-23 § 1, 7-14-1998]

For the purpose of this Chapter the following terms, phrases, words, and their derivations shall have the meaning given herein unless the context otherwise indicates:

AGGRIEVED PERSON — Shall include any person who is attempting to provide housing for himself and/or his family in the City of Lexington, Missouri.

DISCRIMINATE — Distinctions in treatment because of race, sex, color, national origin, ancestry, religion, religious affiliation, handicap, and without regard to whether a family has children.

PERSON — Shall include any individual, firm, partnership, or corporation.

SECTION 8A-3. Discriminatory Practices. [Ord. No. 94-26 § 3, 11-22-1994; Ord. No. 98-23 § 2, 7-14-1998]

It shall be a discriminatory practice and a violation of this Chapter for any person to:

1. Refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, sex, color, national origin, ancestry, religion, religious affiliation, handicap, and without regard to whether a family has children.
2. 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, sex, color, national origin, ancestry, religion, religious affiliation, and without regard to whether a family has children.
3. Make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that

indicates any preference, limitation, or discrimination based on race, sex, color, national origin, ancestry, religion, religious affiliation, and without regard to whether a family has children, or an intention to make any such preference, limitation, or discrimination.

4. Represent to any person because of race, sex, color, national origin, ancestry, religion, religious affiliation, and without regard to whether a family has children, that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.
5. For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, sex, color, national origin, ancestry, religion, religious affiliation, and without regard to whether a family has children.
6. Bars discrimination in the sale or rental of housing on the basis of a handicap, and requires the design and construction of new multi-family dwellings with four (4) or more units to meet certain adaptability and accessibility requirements.
7. Bars discrimination in the sale or rental of housing because a person has children, but exempts certain types of buildings that house older persons, e.g. Section 202 housing.

SECTION 8A-4. Administration. [Ord. No. 94-26 § 4, 11-22-1994]

- A. There is hereby created a Fair Housing Committee whose membership shall consist of five (5) members, who shall be appointed by the Mayor of the City with the approval of the City Council.
- B. Every complaint of a violation of this Chapter shall be referred to the Fair Housing Committee. The Fair Housing Committee shall forthwith notify the person against whom the complaint is made. The identity of the aggrieved person shall be made known to the person against whom the complaint is made at that time. If the Fair Housing Committee, after investigation, finds there is not merit to the complaint, the same shall be dismissed. If the Fair Housing Committee finds that there is merit in the complaint, in their opinion, then and in that event, the Fair Housing Committee will endeavor to eliminate the alleged discriminatory practice by conference and conciliation.
- C. If the Fair Housing Committee is unable to eliminate the alleged discriminatory practice by conference and conciliation, then and in that event, the Fair Housing Committee shall forward said complaint to the City Attorney for handling. The final determination of whether or not to prosecute on said complaint shall be left to the City Attorney.

SECTION 8A-5. Enforcement. [Ord. No. 94-26 § 5, 11-22-1994]

- A. Any person convicted of a violation of this Chapter shall be punished by a fine of not more than two hundred dollars (\$200.00), or by confinement in the City Jail for not more than thirty (30) days, or by both such fine and imprisonment.

- B. The City Attorney, instead of filing a complaint in Municipal Court of the City, may, as an alternative remedy, seek to have the alleged discriminatory practices abated by an action for an injunction to be maintained in the appropriate Circuit Court of the State of Missouri.