



32 **PART 3.** City Code Section 5-1-17 (*Appraisal Exemption*); Subsections (A) and (B) of  
33 City Code Section 5-1-51 (*Discrimination in Sale or Rental of Housing*); City Code  
34 Section 5-1-52 (*Publication Indicating Discrimination*), Section 5-1-53 (*Availability for*  
35 *Inspection, Sale, or Rental*), and Section 5-1-54 (*Entry into Neighborhood*); Subsection  
36 (A) of City Code Section 5-1-56 (*Residential Real Estate Related Transaction*); and City  
37 Code Section 5-1-57 (*Brokerage Services*) are amended as follows:

38 **§ 5-1-17 APPRAISAL EXEMPTION.**

39 This article does not prohibit a person engaged in the business of furnishing  
40 appraisals of residential real property from taking into consideration factors other  
41 than race, color, religion, sex, sexual orientation, gender identity, disability, age,  
42 familial status, marital status, student status, creed, [~~or~~]national origin, or protective  
43 hairstyle.

44 **§ 5-1-51 DISCRIMINATION IN SALE OR RENTAL OF HOUSING.**

- 45 (A) A person may not refuse to sell or rent a dwelling to a person who has made a  
46 bona fide offer; refuse to negotiate for the sale or rental of a dwelling; or  
47 otherwise make unavailable or deny [~~to~~]a dwelling to any person based on  
48 race, color, religion, sex, sexual orientation, gender identity, age, familial  
49 status, disability, marital status, student status, creed, national origin,  
50 protective hairstyle, or source of income.
- 51 (B) A person may not discriminate against a person in the terms, conditions, or  
52 privileges of sale or rental of a dwelling or in providing services or facilities in  
53 connection with the sale or rental, based on race, color, religion, sex, sexual  
54 orientation, gender identity, age, familial status, disability, marital status,  
55 student status, creed, national origin, protective hairstyle, or source of income.

56 **§ 5-1-52 PUBLICATION INDICATING DISCRIMINATION.**

57 A person may not make, print, or publish or cause to be made, printed, or  
58 published any notice, statement, or advertisement with respect to the sale or rental  
59 of a dwelling that indicates any preference, limitation, or discrimination based on  
60 race, color, religion, sex, sexual orientation, gender identity, disability, age,  
61 familial status, marital status, student status, creed, national origin, protective  
62 hairstyle, or source of income, or an intention to make such a preference,  
63 limitation, or discrimination.

64 **§ 5-1-53 AVAILABILITY FOR INSPECTION, SALE, OR RENTAL.**

65 A person may not represent to a person based on race, color, religion, sex,  
66 sexual orientation, gender identity, disability, age, familial status, marital status,  
67 student status, creed, national origin, protective hairstyle, or source of income that a  
68 dwelling is not available for inspection, sale or rental when the dwelling is available  
69 for inspection.

70 **§ 5-1-54 ENTRY INTO NEIGHBORHOOD.**

71 A person may not, for profit, induce or attempt to induce a person to sell or  
72 rent a dwelling by representations regarding the entry or prospective entry into a  
73 neighborhood of a person of a particular race, color, religion, sex, sexual orientation,  
74 gender identity, disability, age, familial status, marital status, student status, creed,  
75 national origin, protective hairstyle, or source of income.

76 **§ 5-1-56 RESIDENTIAL REAL ESTATE RELATED TRANSACTION.**

77 (A) A person whose business includes engaging in residential real estate related  
78 transactions may not discriminate against a person in making a real estate  
79 related transaction available or in the terms or conditions of a real estate  
80 related transaction because of race, color, religion, sex, sexual orientation,  
81 gender identity, disability, age, familial status, marital status, student status,  
82 creed, national origin, protective hairstyle, or source of income.

83 **§ 5-1-57 BROKERAGE SERVICES.**

84 A person may not deny any person access to, or membership or participation  
85 in, a multiple-listing service, real estate brokers' organization or other service,  
86 organization, or facility relating to the business of selling or renting dwellings, or  
87 discriminate against a person in the terms or conditions of access, membership, or  
88 participation in such an organization, service, or facility because race, color, religion,  
89 sex, sexual orientation, gender identity, disability, age, familial status, marital status,  
90 student status, creed, national origin, protective hairstyle, or source of income.

91 **PART 4.** City Code Section 5-2-2 (*Definitions*) is amended to add a new definition for  
92 "Protective Hairstyle" and to renumber the remaining definitions accordingly:

93 (9) PROTECTIVE HAIRSTYLE means a hairstyle necessitated by, or resulting  
94 from, the characteristics of a hair texture or hairstyle commonly associated  
95 with race, national origin, ethnicity, or culture, and includes but is not  
96 limited to afros, bantu knots, braids, cornrows, curls, locs, twists, or hair that  
97 is tightly coiled or tightly curled.

98 **PART 5.** City Code Section 5-2-4 (*Prohibited Practices*) is amended as follows:

## § 5-2-4 PROHIBITED PRACTICES.

- 100 (A) A person whose business includes engaging in residential real estate related  
 101 transactions may not discriminate against a person in making a real estate  
 102 related transaction available or in the terms or conditions of a real estate  
 103 related transaction because of race, color, religion, sex, sexual orientation,  
 104 gender identity, disability, age, familial status, marital status, student status,  
 105 creed, national origin, protective hairstyle, or source of income.
- 106 (B) A person, including the owner, operator, or lessee of a public accommodation  
 107 may not directly or indirectly exclude, segregate, limit, refuse or deny a person  
 108 the accommodations, advantages, facilities, benefits, privileges, services, or  
 109 goods of the public accommodation based on race, color, religion, sex, sexual  
 110 orientation, gender identification, national origin, age, protective hairstyle, or  
 111 disability.
- 112 (C) A person, including the owner, operator, or lessee of a public accommodation,  
 113 may not circulate, issue, display, post, mail, or publish a statement,  
 114 advertisement, or sign that indicates that the accommodations, advantages,  
 115 facilities, benefits, privileges, services, or goods of the public accommodation  
 116 will be denied to an individual based on race, color, religion, sex, sexual  
 117 orientation, gender identification, national origin, age, protective hairstyle, or  
 118 disability, or that the patronage or presence of an individual is objectionable,  
 119 unwelcome, unacceptable, undesirable, or unsolicited based on race, color,  
 120 religion, sex, sexual orientation, gender identification, national origin, age,  
 121 protective hairstyle, or disability.

122 **PART 6.** City Code Section 5-3-2 (*Definitions*) is amended to add a new definition for  
 123 “Protective Hairstyle” and to renumber the remaining definitions accordingly:

- 124 (14) PROTECTIVE HAIRSTYLE means a hairstyle necessitated by, or resulting  
 125 from, the characteristics of a hair texture or hairstyle commonly associated  
 126 with race, national origin, ethnicity, or culture, and includes but is not  
 127 limited to afros, bantu knots, braids, cornrows, curls, locs, twists, or hair that  
 128 is tightly coiled or tightly curled.

129 **PART 7.** Subsections (A) through (E) of City Code Section 5-3-4 (*Unlawful*  
 130 *Employment Practices*) are amended as follows:

## § 5-3-4 UNLAWFUL EMPLOYMENT PRACTICES.

- 131 (A) An employer may not:  
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- 133 (1) fail or refuse to hire or to discharge any individual, or otherwise  
134 discriminate against an individual with respect to compensation, terms,  
135 conditions, or privileges of employment, based on the individual's race,  
136 color, religion, sex, sexual orientation, gender identity, national origin,  
137 age, protective hairstyle, or disability; or
- 138 (2) limit, segregate, or classify an employee or applicant for employment in  
139 a way which would deprive or tend to deprive an individual of  
140 employment opportunities or otherwise adversely affect the individual's  
141 status as an employee, based on the individual's race, color, religion,  
142 sex, sexual orientation, gender identity, national origin, age, protective  
143 hairstyle, or disability.

144 (B) An employment agency may not:

- 145 (1) fail or refuse to refer for employment, or otherwise discriminate against,  
146 an individual based on race, color, religion, sex, sexual orientation,  
147 gender identity, national origin, age, protective hairstyle, or disability; or
- 148 (2) classify or refer for employment an individual based on race, color,  
149 religion, sex, sexual orientation, gender identity, national origin, age,  
150 protective hairstyle, or disability.

151 (C) A labor organization may not:

- 152 (1) exclude or [~~to~~] expel from its membership, or otherwise discriminate  
153 against, an individual based on race, color, religion, sex, sexual  
154 orientation, gender identity, national origin, age, protective hairstyle, or  
155 disability.
- 156 (2) limit, segregate, or classify its membership, or applicants for  
157 membership, or classify or fail or refuse to refer for employment an  
158 individual in a way which would deprive or tend to deprive the  
159 individual of employment opportunities, limit employment  
160 opportunities, or otherwise adversely affect the individual's status as an  
161 employee or as an applicant for employment, based on the individual's  
162 race, color, religion, sex, sexual orientation, gender identity, national  
163 origin, age, protective hairstyle, or disability; or
- 164 (3) cause or attempt to cause an employer to discriminate against an  
165 individual in violation of this section.

166 (D) An employer, labor organization, or joint labor-management committee  
167 controlling apprenticeship or other training or retraining, including on-the-job  
168 training programs, may not discriminate against an individual based on race,  
169 color, religion, sex, sexual orientation, gender identity, national origin, age,  
170 protective hairstyle, or disability in admission to or employment in a program  
171 established to provide apprenticeship or other training.

172 (E) Unless it is a bona fide occupational qualification for employment, an  
173 employer, labor organization, employment agency, or joint labor-management  
174 committee controlling apprenticeship or other training or retraining, including  
175 on-the-job training programs, may not print, publish, or cause to be printed or  
176 published a notice or advertisement that indicates a preference, limitation,  
177 specification, or discrimination based on race, color, religion, sex, sexual  
178 orientation, gender identity, national origin, age, protective hairstyle, or  
179 disability related to:

180 (1) employment by the employer;

181 (2) membership in or classification or referral for employment by an  
182 employment agency; or

183 (3) admission to, or employment in, a program established to provide  
184 apprenticeship or other training by a joint labor-management committee.

185 **PART 8.** City Code Section 5-4-1 (*Definitions*) is amended to revise the definition of  
186 “Discriminatory Employment Practice,” to add a new definition for “Protective  
187 Hairstyle,” and to renumber the remaining definitions accordingly:

188 (3) DISCRIMINATORY EMPLOYMENT PRACTICE means  
189 discrimination against an individual because of race, creed, color, religion,  
190 national origin, sexual orientation, gender identity, disability, protective  
191 hairstyle, sex or age, unless sex or age is a bona fide occupational  
192 qualification of employment during an employment action, including  
193 recruiting, advertising, hiring, layoff, termination, classification, training or  
194 selection for training, promotion, demotion, transfer, or compensation.

195 (6) PROTECTIVE HAIRSTYLE means a hairstyle necessitated by, or  
196 resulting from, the characteristics of a hair texture or hairstyle commonly  
197 associated with race, national origin, ethnicity, or culture, and includes but is  
198 not limited to afros, bantu knots, braids, cornrows, curls, locs, twists, or hair  
199 that is tightly coiled or tightly curled.

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**PART 9.** This ordinance takes effect on \_\_\_\_\_, 2022.

**PASSED AND APPROVED**

\_\_\_\_\_, 2022 § \_\_\_\_\_  
§ \_\_\_\_\_

Steve Adler  
Mayor

**APPROVED:** \_\_\_\_\_

Anne L. Morgan  
City Attorney

**ATTEST:** \_\_\_\_\_

Myrna Rios  
City Clerk