

**AN ORDINANCE ADDING CHAPTER 65 (CIVIL RIGHTS
NON-DISCRIMINATION) TO TITLE 2 OF THE LIVONIA
CODE OF ORDINANCES, AS AMENDED.**

THE CITY OF LIVONIA ORDAINS:

Section 1. Chapter 65 is hereby Added to Title 2 of the Livonia Code of Ordinances, as amended, is hereby amended to read as follows:

CHAPTER 2.65

CIVIL RIGHTS NON-DISCRIMINATION

Sections:

2.65.010	Title for citation.
2.65.020	Equal protection of the law required.
2.65.030	Definitions.
2.65.040	Municipal Contracts
2.65.050	Real Estate transactions
2.65.050	Gas station assistance
2.65.040	Penalty
2.65.050	Complaint investigation.

2.65.010 - Title for citation. The ordinance codified in this chapter may be known and cited as the "civil rights non-discrimination ordinance."

2.65.020 – Equal protection of the law required.

- A. No person shall be denied the equal protection of the laws, nor shall any person be denied the enjoyment of his or her civil or political rights or be discriminated against in the exercise thereof or be denied employment, public accommodations, housing or public services because of age, height or weight, race, color, creed, physical limitation, religion, ancestry, national or sectional origin, gender, gender expression, gender identity, sex, sexual orientation or marital status.
- B. No person shall adopt, enforce, or employ any policy, requirement, qualification, practice, or factor which has the effect of creating unequal treatment or opportunities relating to employment, public accommodations as defined by 42 U.S. Code §12181(7), housing or public services on the basis of actual or perceived membership in a protected class as defined in this Chapter.

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- C. The prohibitions against discrimination as provided for in this Chapter shall not be deemed preempted by state or federal law, but are intended to supplement such law.
- D. This Chapter shall be construed and applied in a manner consistent with the First and 14th Amendments of the U.S. Constitution and Art. I, § 2 of the Constitution of Michigan regarding freedom of speech and free exercise of religion.

2.65.030 - Definitions.

- A. "Discrimination or discriminate" means to make a decision, offer to make a decision, or refrain from making a decision, based in whole or in part on the actual or perceived age, race, color, creed, religion, ancestry, national or sectional origin, gender, gender expression, gender identity, sex, sexual orientation or marital status of that person, person's relatives or associates which results in the unequal treatment of any person, or denies, prevents, limits, adversely affect the benefit of enjoyment of any person, of employment, public accommodations or public services.
- B. "Gender or gender identity" means a person's actual or perceived gender, including a person's gender identity, self-image, appearance, expression, or behavior, whether or not that gender identity, self-image, appearance, expression, or behavior is different from that traditionally associated with the person's sex at birth as being either female or male.
- C. "Physical limitation," as used in this chapter, means a limitation of physical capabilities unrelated to one's ability to perform the work involved in jobs or positions available to him for hire or promotion or a limitation of physical capabilities unrelated to one's ability to acquire, rent and maintain property. "Physical limitation" includes, but is not limited to, blindness or partial-sightedness, deafness or hearing impairment, muteness, partial or total absence of physical member, speech impairment, motor impairment.
- D. "Sex" means the status of being a man/boy or woman/girl, and a person's conformity to sex stereotypes. Sex shall further be defined to include a person's gender identity.
- E. "Sexual orientation" means male or female homosexuality, heterosexuality, or bisexuality, whether past or present. This includes emotional, romantic, and/or sexual attractions, or the absence thereof, to other people. Sexual orientation also refers to a person's sense of identity based on those attractions, related behaviors, and membership in a community of others who share those attractions.

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2.65.040 - Municipal contracts—Nondiscrimination provisions required. All contracting agencies of the city or any department of the city shall include all contracts hereafter negotiated, or renegotiated, a provision requiring the contractor not to discriminate against an employee or applicant for employment, to be employed in the performance of the contract with respect to his or her hire, tenure, terms, conditions or privileges of employment, because membership in a protected class as defined in this Chapter.

2.65.050 - Real estate transactions—Discrimination prohibited.

A. No owner of real property, lessee, sublessee, real estate broker or salesman, lender, financial institution, advertiser or agent of any of the foregoing shall discriminate against any person on the basis of actual or perceived membership in a protected class as defined in this Chapter, in regard to the sale or rental of, or dealings concerning real property located in the city.

B. An owner shall not be required to offer property to the public at large before selling or renting it, nor shall this chapter be deemed to prohibit owners from giving preference to prospective tenants or buyers for reasons other than on the basis of actual or perceived membership in a protected class as defined in this Chapter.

2.68.050 - Gas stations—Assistance at self-service pumps. In the event an attendant is available at a self-serve only gas station, it shall be his responsibility upon request to assist a physically handicapped person at a self-service pump in the dispensing of flammable liquid into that person's vehicle.

2.65.040 - Penalty. Any person in violation of this section shall be deemed to have committed a civil infraction and shall be ordered to pay a civil fine up to five hundred dollars (\$500.00), plus costs. Any person in violation of this section for a second offense shall be ordered to pay a civil fine of five hundred dollars (\$500.00), plus costs. Any person in violation of this section for a third or subsequent offense shall be guilty of a misdemeanor.

2.65.050 - Complaint investigation.

- A. A complaint may be filed with the City Law Department by any individual (the complainant) who has experienced or been witness to discrimination within the City as described in this Chapter. The complaint must be filed in person, by mail, or by email within one hundred eighty (180) calendar days of the alleged discriminatory act. If an individual fails to file a complaint within the specified time frame, the complaint will not be considered.
- B. A complaint shall indicate, at a minimum, all parties involved, the contact information of the complainant, a description of the discriminatory

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conduct, the date(s) and location(s) of its occurrence, and the protected class or classes which were discriminated against. The complaint will not be processed without this information.

- C. It shall be the responsibility of the Law Department to determine whether a complaint should be prosecuted in the District Court, denied, or referred to another appropriate agency for review and consideration.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 3. Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance.