

## **CHAPTER 14**

### **HUMAN RELATIONS**

#### **Sec. 14.1. PURPOSE OF CHAPTER.**

The purpose of this chapter is to implement the provisions of the Iowa Civil Rights Act and to further provide for the general welfare of persons in the City of Ames, Iowa, by establishing a to undertake projects of education to prevent discrimination and to effect cooperative undertakings with the Iowa Civil Rights Commission and to aid in effectuating the purposes of the Iowa Civil Rights Act.

*[State Law Ref. Iowa Code Sec. 216.1] (Ord. 3123, 3-26-91; Ord. 3377, 3-5-96; Ord. No. 4385, 5-14-19)*

#### **Sec. 14.2. DEFINITIONS.**

When used in this chapter, unless the context otherwise requires:

- (1) "Commission" means the Ames Human Relations Commission created by this chapter.
- (2) "Commissioner" means a member of the commission.
- (3) "Disability" means the physical or mental condition of a person which constitutes a substantial disability, and the condition of a person with a positive human immunodeficiency virus test result, a diagnosis of acquired immune deficiency syndrome, a diagnosis of acquired immune deficiency syndrome-related complex, or any other condition related to acquired immune deficiency syndrome. The inclusion of a condition related to a positive human immunodeficiency virus test result in the meaning of "disability" under the provisions of this chapter does not preclude the application of the provisions of this chapter to conditions resulting from other contagious or infectious diseases.

*[State Law ref. Iowa Code Sec. 216]*

- (4) "Gender Identity" means a gender-related identity of a person regardless of the person's assigned sex at birth.

(5) "Public accommodation" means each and every place, establishment, or facility of whatever kind, nature, or class that caters or offers services, facilities, or goods for a fee or charge to nonmembers of any organization or association utilizing the place, establishment, or facility, provided that any place, establishment, or facility that caters or offers services, facilities, or goods to the nonmembers gratuitously shall be deemed a public accommodation if the accommodation receives governmental support or subsidy. Public accommodation shall not mean any bona fide private club or other place, establishment, or facility which is by its nature distinctly private, except when such distinctly private place, establishment, or facility caters or offers services, facilities, or goods to the nonmembers for fee or charge or gratuitously, it shall be deemed a public accommodation during such period.

"Public accommodation" includes each state and local government unit or tax-supported district of whatever kind, nature, or class that offers services, facilities, benefits, grants or goods to the public, gratuitously or otherwise. This paragraph shall not be construed by negative implications or otherwise to restrict any part or portion of the pre-existing definition of the term "public accommodation".

*(Ord. No. 2912, 12-18-84; Ord. No. 4385, 5-14-19)*

- (6) (6) "Unfair practice" or "discriminatory practice" means those practices specified as unfair or discriminatory in this chapter, including those practices specified as unfair or discriminatory in sections 216.6, 216.7, 216.8, 216.8A, 216.9, 216.10, 216.11, and 216.11A of the Code of Iowa, as amended, or this title.

*(Ord. 3123, 3-26-91; Ord. No. 4385, 5-14-19; Ord. No. 4586, 02-10-26)*

- (7) "Sexual Orientation" means actual or perceived heterosexuality, homosexuality, or bisexuality. "Sexual orientation" does not include participation in acts which are prohibited by law.

*(Ord. 3128, 5-28-91; Ord. 3377, 3-5-96 Ord. No. 4385; Ord. No. 4385, 5-14-19)*

#### **Sec. 14.3. COMMISSION APPOINTED.**

(1) **Commission Appointed.** The Ames Human Relations Commission shall consist of seven (7) members appointed by the Mayor with the approval of the City Council. Appointments shall take into consideration the various racial, religious, cultural and social groups and geographical areas within the City of Ames in so far as may be practicable. The term of office shall be three (3) years and shall begin April 1 of the fiscal year of appointment, except that the Mayor may prescribe a shorter term for any appointment or reappointment in order to stagger terms. Six (6) of the members shall serve 3-year terms, and one (1) of the members shall serve a special 1-year term. Vacancies shall be filled for any unexpired term in the same manner as original appointments. Any member or all members of the Commission may be removed from office at any time by the Mayor with the approval of the City Council, for good cause. No member who has served two (2) full consecutive terms is eligible for reappointment. The Commission shall elect one of their members to be chairperson, and develop their own rules of procedure, not inconsistent with this chapter.

*(Ord. No. 3820, 3-08-05; Ord. No. 3943, 2-19-08; Ord. No. 4129, 11-13-12; Ord. No. 4385, 5-14-19)*  
*[State Law Ref. Iowa Code Sec. 216.3] (Ord. 3377, 3-5-96; Ord. No. 3943, 2-19-08; Ord. No. 4520, 02-27-24)*

#### **Sec. 14.4. COMPENSATION AND EXPENSES.**

The members of the Commission shall serve without salary, wages or other compensation provided that they may receive reimbursement for actual and necessary expenses incurred as allowed by the City Council pursuant to such procedures and policies for the reimbursement of expenses as shall be established by the City of Ames from time to time.

*[State Law Ref. Iowa Code Sec. 216.4] (Ord. 3377, 3-5-96; Ord. No. 4385, 5-14-19)*

#### **Sec. 14.5. POWERS AND DUTIES.**

The Commission shall have the following powers and duties:

(1) To investigate and study the existence, character, causes, and extent of discrimination in public accommodations, employment, apprenticeship programs, on-the-job training programs, vocational schools, credit practices, and housing in this city and to attempt the elimination of such discrimination by education.

(2) To issue such publications and reports of investigations and research as in the judgment of the commission shall tend to promote good will among the various racial, religious, and ethnic groups of the City and which shall tend to minimize or eliminate discrimination in public accommodations, employment, apprenticeship and on-the-job training programs, vocational schools, career and technical programs, or housing because of race, creed, color, sex, national origin, religion, ancestry, disability, sexual orientation or gender identity.

*(Ord. 3128, 5-28-91; Ord. No. 4385, 5-14-19)*

(3) To prepare and transmit to the Mayor and City Council from time to time, but not less often than once each year, reports describing its proceedings, and the other work performed by the commission.

(4) To make recommendations to the Mayor and City Council for such further legislation concerning discrimination because of race, creed, color, sex, national origin, religion, ancestry, disability, sexual orientation or gender identity as it may deem necessary and desirable.

*(Ord. 3128, 5-28-91; Ord. No. 4385, 5-14-19)*

(5) To cooperate, within the limits of any appropriations made for its operations, with other agencies or organizations, both public and private, whose purposes are consistent with those of this chapter, and on the planning and conducting of programs designed to eliminate racial, religious, cultural, and intergroup tensions.

(6) To adopt, publish, amend, and rescind regulations consistent with and necessary for the enforcement of this chapter.

(7) To receive, administer, dispense and account for any funds that may be voluntarily contributed to the commission and any grants that may be awarded the commission for furthering the purposes of this chapter with the approval of the City Council.

(8) To refer a complaint to the Iowa Civil Rights Commission under commission rules.

*[State Law Ref. Iowa Code Sec. 216.5] (Ord. 3377, 3-5-96; Ord. No. 4385, 5-14-19).*

#### **Sec. 14.6 GENDER IDENTITY DISCRIMINATION PROHIBITED**

Discriminatory practices on the basis of gender identity in employment, wages, public accommodations, housing, education, and credit practices are prohibited.

(1) Intake and investigation of gender-identity discrimination complaints will be managed by an Assistant City Manager or his/her designee.

(2) After a complaint is filed, mediation will be offered to the parties to attempt to resolve the issues in the complaint.

(3) If a failure of mediation or a failure of either party to participate in mediation occurs, a determination will be made on whether a municipal infraction citation will be issued.

(4) Violation of this section shall be a municipal infraction, punishable by a penalty of \$750 for the first violation, and \$1,000 for repeat violations.

*(Ord. No. 4586, 02-10-26)*