

RESOLUTION NO. 96 - 5

AN ORDINANCE PROVIDING "FAIR HOUSING" FOR THE CITY OF WATHENA, KANSAS. DEFINES DISCRIMINATORY HOUSING PRACTICES, AND CREATES FAIR HOUSING COMMITTEE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WATHENA, KANSAS, AS FOLLOWS:

SECTION 1. DECLARATION OF POLICY

The City Council of the City of Wathena 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 ordinance shall be deemed an exercise of the police powers of the City of Wathena, Kansas, for the protection of the public welfare, prosperity, healthy and peace of the people of Wathena.

SECTION 2. DEFINITIONS

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

- a. Person shall include any individual, firm, partnership, or corporation.
- b. Aggrieved Person shall include any person who is attempting to provide housing for himself and/or his family in the City of Wathena, Kansas.
- c. Discriminate shall mean distinctions in treatment because of race, sex, color, religion, religious affiliation, handicap, family status, or national origin of any person.

SECTION 3. DISCRIMINATORY PRACTICES

It shall be a discriminatory practice and a violation of the ordinance for any person to:

- a. 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, religion, religious affiliation, or national origin of any person.
- b. 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, religion, religious affiliation, or national origin.
- c. 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,

religion, religious affiliation, or national origin, or an intention to make any such preferences, limitation, or discrimination.

- d. Represent to any person because of race, sex, color, religion, religious affiliation, or national origin, that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.
- e. 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 or a person or persons of a particular race, sex, color, religion, religious affiliation, or national origin.
- f. 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 dwelling with four (4) or more units to meet certain adaptability and accessibility requirements.
- g. Bars discrimination in the sale or rental of housing because a family has children, but exempts certain types of buildings that house older persons, e.g. SECTION 202 housing.

SECTION 4. DISCRIMINATION IN THE FINANCING OF A HOUSE

It shall be unlawful for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or part in the make of commercial real estate loans, to deny a loan to a person applying therefore for the purpose of purchasing, constructing, repairing, or maintaining a dwelling, or to discriminate against him in the fixing of the amount or conditions of such loan, because of race, sex, color, religion, religious affiliation or national origin or such person associated with him in connection with such financing.

SECTION 5 ADMINISTRATION

- a. There is hereby created a Fair Housing Committee whose membership shall consist of five 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 ordinance shall be referred to a 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 the time. If the fair Housing committee, after investigation, finds there is no 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 the 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 a conference and conciliation, then and the event, the Fair Housing Committee shall forward said complaint to the city Attorney for handling. The

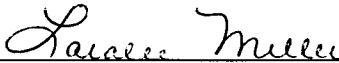
June 18, 1996

Date



Michael Shalz, Mayor

ATTEST:



Wathena City Clerk