

AN ORDINANCE AMENDING CHAPTER 12 THE GREENSBORO CODE OF
ORDINANCES WITH RESPECT TO DISCRIMINATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Chapter 12, ARTICLE IV, Division 1, of the Greensboro Code of Ordinances is hereby amended as follows:

Sec. 12-61. – DECLARATION OF POLICY.

(4) To encourage the elimination of discriminatory practices between and among its citizens, it is necessary to interpret the term ‘sex’ to explicitly include sexual orientation, gender expression, or gender identity

(5) To encourage the elimination of discriminatory practices between and among its citizens, it is necessary to interpret the terms ‘race’ and ‘national origin’ to include discrimination on the basis of hair texture and hairstyles that are commonly associated with race or national origin.

~~Secs. 12-62—12-75. Reserved.~~

Sec. 12-62. – SEVERABILITY.

In the event any section, subsection, subdivision, paragraph, subparagraph, item, sentence, clause, phrase or word of this article is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining provisions of this article, which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of this article.

Secs. 12-63—12-75. - Reserved.

Section 2. That Chapter 12, ARTICLE IV, Division 3, of the Greensboro Code of Ordinances is hereby amended as follows:

Sec. 12-96 – Definition.

In this article "Place of public accommodation" means a business, accommodation, refreshment, entertainment, recreation or transportation facility of any kind whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold or otherwise made available to the public.

In this article, the term ‘sex’ shall be defined to explicitly include sexual orientation, gender expression, or gender identity.

In this article, the terms 'race' and 'national origin' shall be defined to explicitly include hair texture and hairstyles that are commonly associated with race or national origin.

Sec. 19-97 – Prohibited Acts

(a) No person shall deny an individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of a place of public accommodation because of race, color, religion, sex or national origin.

(b) No person shall print, circulate, post, mail or otherwise cause to be published a statement, advertisement or sign which indicates that the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of a place of public accommodation will be refused, withheld from, or denied an individual because of race, color, religion, sex or national origin, or that an individual's patronage of or presence at a place of public accommodation is objectionable, unwelcome, unacceptable or undesirable because of race, color, religion, sex or national origin.

(c) No person shall, because of race, color, religion, sex or national origin, intimidate, threaten or coerce another individual for the purpose of interfering with or denying such individual the full and equal enjoyment of a place of public accommodation.

Section 3. That Chapter 12, ARTICLE IV, Division 4, of the Greensboro Code of Ordinances is hereby amended as follows:

Sec. 12-111 – Definitions

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Because of sex or on the basis of sex includes pregnancy, childbirth or related medical conditions. Women affected by pregnancy, childbirth or related medical conditions shall be treated the same for all employment related purposes, including receipt of benefits under fringe benefit programs, as other persons not so affected in their ability or inability to work, and nothing in this division shall be interpreted to permit otherwise. The term 'sex' in this division shall be defined to explicitly include sexual orientation, gender expression, or gender identity.

Discriminatory practice means an act that is prohibited under this division.

Employee means an individual employed by an employer, except that the term "employee" shall not include any person elected to public office in any state or political subdivision of any state by the qualified voters thereof, or any person chosen by such officer to be on such officer's personal staff, or an appointee on the policy-making level or an immediate adviser with respect to the exercise of the constitutional or legal powers of the office. The exemption set forth in the preceding sentence shall not include employees subject to the civil service laws of a state government, governmental agency or political subdivision.

Employer means a person who has fifteen (15) or more employees in each of twenty (20) or more calendar weeks in the current or preceding calendar year, and an agent of such a person.

Employment agency means a person regularly undertaking, with or without compensation, to procure employees for an employer, or to procure for employees opportunities to work for an employer, and includes an agent of such a person.

Person includes individuals, associations, corporations, joint stock companies, legal representatives, mutual companies, partnerships, receivers, trusts, trustees, trustees in bankruptcy, unincorporated organizations, any other commercial entities, the city, county, or any governmental entities or agencies.

Race and National Origin shall be defined to explicitly include hair texture and hairstyles that are commonly associated with race or national origin.

Religion means all aspects of religious observance and practice, as well as belief, unless an employer demonstrates that he is unable to reasonably accommodate an employee's or prospective employee's religious observance or practice without undue hardship on the conduct of the employer's business.

Section 4. That Chapter 12, ARTICLE IV, Division 5, of the Greensboro Code of Ordinances is hereby amended as follows:

Sec. 12-132. - Definitions.

[The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Aggrieved person includes any person who claims to have been injured by a discriminatory housing practice; or believes that such person will be injured by a discriminatory housing practice that is about to occur.

Charge means the statement of facts issued by the City of Greensboro's Human Rights Department under this division upon which the department has found reasonable cause to believe that a discriminatory housing practice has occurred or is about to occur.

Commission means the Human Rights Commission of the City of Greensboro.

Committee means the complaint review committee.

Complaint means a written complaint filed with the City of Greensboro's Human Rights Department in accordance with the provisions of chapter 12, article IV, division 5 of the Greensboro Code of Ordinances.

Complainant means a person(s), including the department, who has filed a complaint with the department under this division.

Conciliation means attempted resolution of issues raised by a complaint or by the investigation of the complaint, through informal negotiations involving the aggrieved person, the respondent, and the department.

Conciliation agreement means a written statement setting forth the resolution of the issues in conciliation.

Covered multifamily dwellings means buildings comprising four (4) or more residential units if the building has one (1) or more elevators; and ground floor residential units in other buildings comprising four (4) or more residential units.

Department means the City of Greensboro's Human Rights Department.

Director means the director of the human rights department.

Director's designee means an employee of the Greensboro Human Rights Department.

Discriminatory practice means an act that is prohibited under this division.

Dormitory means a residential dwelling located on the premises of a college, business college, trade school or university for the purpose of housing students registered and attending such an institution or a private dormitory within the meaning of chapter 30, Greensboro Code of Ordinances.

Dwelling includes any improved or unimproved real property or part thereof which is used or occupied, or is intended, arranged or designed to be used or occupied, as the home or residence of one (1) or more individuals.

Familial status means one (1) or more persons who have not attained the age of eighteen (18) years being domiciled with a parent or another person having legal custody of the person or persons; or the designee of the parent or other person having custody, provided the designee has the written permission of the parent or other person. The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any person who has not attained the age of eighteen (18) years.

Family includes a single individual.

Handicap means with respect to a person:

(1) A physical or mental impairment which substantially limits one (1) or more of such person's major life activities;

(2) A record of having such an impairment; or

(3) Being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802).

Hearing means a proceeding conducted to receive evidence or argument on a matter before the department.

Person includes one (1) or more individuals, political subdivisions of the state and instrumentalities thereof, including the city or any governmental entity or agency thereof, partnerships, associations, corporations, legal representatives, mutual companies, joint stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers or any other legal or commercial entity.

Race and National Origin shall be defined to explicitly include hair texture and hairstyles that are commonly associated with race or national origin.

Real estate broker or salesman means a person, whether licensed or not, who, on behalf of others, for a fee, commission, salary or other valuable consideration, or who with the intention or expectation of receiving or collecting the same, lists, sells, purchases, exchanges, rents or leases real property, or the improvements thereon, including options, or who negotiates or attempts to negotiate on behalf of others such an activity, or who advertises or holds himself out as engaged in such activities; or who negotiates or attempts to negotiate on behalf of others a loan secured by mortgage or other encumbrances upon real property, or who is engaged in the business of listing real property in a publication, or a person employed by or acting on behalf of any of these.

Residential real estate transaction means the sale or rental of residential dwellings or real estate.

Residential real estate-related transactions means the making or purchasing of loans or providing other financial assistance for purchasing, constructing, improving, repairing or maintaining a dwelling; or secured by residential real estate; or the selling, brokering or appraising of residential real property.

Real property includes buildings, structures, real estate, lands, tenements, leaseholds, cooperatives, condominiums and hereditaments, corporeal and incorporeal, or any interest therein.

Respondent means a person accused of a discriminatory housing practice in a complaint filed pursuant to this division.

Sex shall be defined to explicitly include sexual orientation, gender expression, or gender identity.

Section 5. This ordinance shall become effective on July 1, 2021.