

ORDINANCE PROVIDING FOR NON-DISCRIMINATION  
IN THE AREA OF HOUSING

BE IT ORDAINED by the City Council of Hamilton, Alabama, as follows:

Section 1. Discrimination -- It shall be an unfair housing practice and unlawful for any real estate broker licensed as such by the city:

- A. To make any distinction, discrimination or restriction against any person in price, terms, conditions, or privileges of any kind relating to the sale, rental, lease or occupancy of any real estate used for residential or commercial purposes in the city, or in furnishing of any facilities or services in connection therewith predicated upon race, color, religion, national origin or ancestry of the prospective or actual buyer or tenant thereof.
- B. To publish, circulate, issue or display or cause to be published, circulated, issued, or displayed, any communication, notice, advertisement, sign, or writing of any kind relating to the sale, rental, or leasing of any residential or commercial real property within the city which would indicate or express any limitation or discrimination in the sale, rental, or leasing of such residential or commercial real estate predicated upon the race, color, religion, national origin or ancestry of any such prospective buyer, lessee, or renter of such property.
- C. To refuse to sell, lease, or rent real estate for residential, or commercial purposes within the city because of the race, color, religion, national origin or ancestry of the proposed buyer or renter.
- D. To discriminate or to participate in discrimination in connection with borrowing or lending money, guaranteeing loans, accepting mortgages or otherwise obtaining or making available funds for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any residential or commercial housing unit or housing accommodation of the city because of the race, religion, color, or national origin or ancestry of such person.
- E. To cheat, exploit, or overcharge any person for residential or commercial housing purposes accommodations in the city because of the race, color, religion, national origin or ancestry of such person.
- F. To solicit for sale, lease, or listing for sale or lease, any residential or commercial real estate within the city on the ground of loss of value due to the present or prospective entry into any neighborhood of any person or persons of any particular race, color, religion, national origin or ancestry.
- G. To distribute or cause to be distributed written material or statements designed to induce any owner or residential or commercial real estate in the city to sell or lease his property because of any present or prospective change in the race, color, religion, national origin or ancestry of persons in the neighborhood.
- H. To deliberately and knowingly refuse examination of any leasing of residential or commercial real estate within the city to any person because of race, color, religion, national origin or ancestry.

Section II. Compliance by out of town brokers -- Any real estate broker not licensed by the city who shall exercise any function of a real estate broker within the city shall be deemed a broker hereunder, and subject to all applicable provisions hereof.

Section III. Definition == Real Estate Broker is defined to mean any person, firm, partnership or corporation licensed by the city who sells, rents, or leases real estate in the City of Hamilton for residential or commercial purposes.

Section IV. Violation -- The violation of this ordinance shall be punishable by a fine of not more than one hundred dollars (\$100.00) or by imprisonment or hard labor for not more than six (6) months, or by both such fine and imprisonment, at the discretion of the court. Each day that any violation of this ordinance of the city shall continue shall constitute a separate offense.

ORDINANCE NO. 416, CONT'D.

Section V. Complaints -- Any person aggrieved in any manner by any violation of any provision of this ordinance may file a written complaint setting forth his grievance with the City Clerk. Said complaint shall state the name and address of the complainant and of the person against whom the complaint is brought, and shall also state the alleged facts surrounding the violation of this ordinance.

The City of Hamilton Police Chief is hereby fully authorized immediately to investigate every such complaint thus filed. If the City of Hamilton Police Chief determines that the respondent has not engaged in an unlawful practice, he shall state its findings of fact in writing. If the City of Hamilton Police Chief determines after such investigation that probable cause exists for the allegation made in the complaint, the City of Hamilton Police Chief will notify the proper city official, the Mayor, for further legal or conciliatory action.

Section VI. Effective -- This ordinance shall take effect and be in force immediately upon its publication.

Adopted the 24th day of November, 1980.

Barbara Partain  
City Clerk

Murray C. Bollard  
Mayor

Council:

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