

GENERAL ORDINANCE NO. 4, 1999

Status Passed Adopted Confirmed
 Defeated Withdrawn Tabled
 Stricken Failed to Pass Vetoed

TITLE: An Ordinance creating a Human Relations Commission

Sponsoring Councilman: Chuck Miles
Date Filed: April 9, 1999

First Reading Date: April 15, 1999

Second Reading Date: April 22, 1999

Motion Yes No Abstentions
Yeulin Second Anderson 112

Amendments

Motion Yes No Abstentions
Second _____

Motion Yes No Abstentions
Second _____

Motion Yes No Abstentions
Second _____

Tabled

Date: _____ Yes No Abstentions
Motion _____ Second _____

Date: _____ Yes No Abstentions
Motion _____ Second _____

Withdrawn

Motion Yes No Abstentions
Second _____

COMMITTEE REPORT

Date _____ Favorable Unfavorable

Chairman _____

APR - 9 1999

GENERAL ORDINANCE NO. 4, 1999

AN ORDINANCE CREATING A HUMAN RELATIONS COMMISSION

WHEREAS, the Common Council of the City of Terre Haute finds that prejudice and the practice of invidious discrimination in employment, housing, public accommodations, education, and financing practices against any individual or group based on race, color, religion, national origin, age, gender, sexual orientation, marital status, or physical or mental disability are a menace to the public peace and welfare, inimical to democracy, and harmful to the health and welfare of our citizens; and

WHEREAS, the Common Council of the City of Terre Haute desires to better serve the residents of the City of Terre Haute and in an attempt to better meet the purpose of eradicating prejudice and the practice of invidious discrimination; and

WHEREAS, the Human Relations Commission established herein shall be codified at Chapter 134 and shall replace General Ordinance 1, 1995, previously codified at that same Chapter; and

WHEREAS, the Common Council of the City of Terre Haute deems that it is necessary and appropriate and in the best interest of the residents of the City of Terre Haute to establish the Human Relations Commission provided for herein.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TERRE HAUTE, INDIANA:

Section 1. That Municipal Code of the City of Terre Haute shall be amended to delete the present text of Chapter 134 and to add the Human Relations Commission as provided herein at that same Chapter.

Section 2. That the following is adopted as the Human Relations Commission.

HUMAN RELATIONS COMMISSION

134.01 ESTABLISHMENT; MEMBERSHIP; VACANCIES

(A) To assist in the elimination of discrimination in Terre Haute, there is hereby created a Commission to be known as the Terre Haute Human Relations Commission.

(B) The Commission shall consist of seven (7) members. Three (3) of whom shall be appointed by the Common Council and four (4) of whom shall be appointed by the Mayor.

(C) Terms shall be for a period of three (3) years and until a successor has been

appointed and qualified, except for one (1) Commissioner appointed by each the Common Council and the Mayor for an original term of (2) years, and until a successor has been appointed and qualified. The effect of this original appointment is to establish a staggering of terms such that there will never be a complete turnover of Commissioners at the end of any given three (3) year term. All Commissioners appointed shall be limited to not more than two (2) consecutive terms.

(D) As of the time of the establishment of this Commission, all seven (7) commission positions are vacant and therefore Common Council shall appoint members to fill three (3) of the vacancies, and thereafter shall be responsible for appointing their successors, and the Mayor shall appoint members to fill the remaining four (4) vacancies, and shall thereafter be responsible for appointing their successors.

134.02

QUALIFICATIONS OF MEMBERS

(A) All members shall be residents of the City of Terre Haute. The Mayor and Common Council shall make only those appointments which insure:

(1) That members are persons who have demonstrated a commitment to the purpose for which the Commission is created; and

(2) That the Commission is broadly representative of the community in regard to race, religion, national origin, gender, and abilities; and

(3) The appointment shall be in such manner that the number of members of the Commission belonging to one of the two major political parties shall not exceed by more than one the number of those belonging to the other major political party, and the Mayor and the Common Council shall take this into consideration in making their respective appointments; provided, however, that if they cannot agree upon the manner in which such representation is to be attained, the Mayor shall make that appointment which shall result in one of the major political parties having the greater number of members on the Board.

(B) It shall be the duty of the Mayor and the Common Council publicly to solicit suggestions for Commission appointments from organizations having an interest in the improvement of inter-group relations in the community, and to give thoughtful consideration to the appointment of persons so suggested.

134.03

OFFICERS

(A) At the first meeting of the Commission, which shall be called by the Mayor, the Commissioners shall elect one of their number to serve as chairman, and also shall elect such other officers as the Commission shall desire from among its members.

(B) If the Commission employs an Executive Director as permitted herein, the Commission may appoint the Executive Director to serve as Secretary to the Commission. In such an event, the Executive Director/Commission Secretary shall not be required to meet the qualifications for membership on the Commission, and shall not be compensated for the services as Commission Secretary other than the salary established for the position of Executive Director.

134.04 DEATH, INCAPACITY OR RESIGNATION OF MEMBER; REMOVAL

(A) In the event of a death, incapacity, or resignation of any member, his or her successor shall be appointed by the one who appointed such member and the newly appointed member shall serve for the unexpired period of the term of the one replaced.

(B) Either the Mayor or the Common Council shall have the right to remove, at any time for cause, any member of the Commission appointed by that person or body.

134.05 POWERS AND DUTIES

(A) The Commission shall have only those powers which are conferred herein and which are permitted to be exercised by a Human Relations Commission under the applicable provisions of Indiana law, including the power to:

(1) Investigate and conciliate complaints of prejudice or invidious discrimination in employment, housing, public accommodations, education and financing practices;

(2) Refer to the appropriate governmental entity those complaints which cannot be conciliated by the Commission;

(3) Employ an Executive Director and other staff personnel as determined appropriate by the Commission and funded by the Common Council;

(4) Adopt rules and regulations to conduct its business and its meetings.;

(5) Conduct programs and activities to carry out the purposes of the Terre Haute Human Relations Commission provided for in this chapter within the territorial boundaries of the city.

(B) The Commission shall hold regular meetings and as called by the elected Commission President or two (2) Commissioners. All meetings and notices thereof shall be conducted in conformity with IC 5-14-1.5-1 *et seq.*

(C) The Commission shall endeavor to keep itself fully informed concerning the studies and findings of private organizations in respect to the practices falling within the

Commission's purpose.

(D) The Commission shall render an annual report of its activities to the Mayor and to the Common Council, and shall render such other additional reports as the Mayor or the Common Council may from time to time request. The reports shall describe in detail the investigations and conciliation proceedings it has conducted, the outcome of such proceedings, the progress made and any other work performed and achievement toward the elimination of discrimination.

134.06

RESPONSIBILITIES

(A) Study the relationship between persons of various races, sexes, creeds, abilities and nationalities within the City and to advise and assist the various City departments in matters involving relationships between such groups to the end that prejudice, intolerance, bigotry, and discrimination will be eliminated in Terre Haute;

(B) Identify and recommend ways to eliminate discrimination based upon gender, race, religion, handicap, ancestry, national origin or place of birth in education, employment, public accommodations and housing;

(C) Study, investigate and recommend action in regard to any condition having an adverse effect upon relations between persons of various races, genders, creeds, abilities and nationalities;

(D) Institute and conduct educational and other programs intended to promote the equal rights and opportunities of all persons;

(E) Solicit the cooperation of the various racial, ethnic, disability, women's rights, and religious groups within the community in order to improve the quality of communications and understanding within the community;

(F) Stimulate private and governmental departments and agencies to develop and foster meaningful programs in support of the objectives and purposes of the Terre Haute Human Relations Commission;

Section 3. This Ordinance repeals General Ordinance 1, 1995, codified at Chapter 134 of the Municipal Code of the City of Terre Haute and replaces it with the language in this General Ordinance 4, 1999.

Section 4. This Ordinance shall be in full force and effect on the date of its passage and any and all necessary approval by the Mayor of the City of Terre Haute.

Presented by: Chuck Miles, Councilman Chuck Miles.

Passed in open Council this 22nd day of April, 1999.

George Alsop
PRESIDENT George Alsop

ATTEST:
Charles P. Hanley, CITY CLERK Charles P. Hanley

Presented by me to the Mayor this 22nd day of April, 1999.

Charles P. Hanley
CITY CLERK Charles P. Hanley

Approved by me, the Mayor, this 22nd day of April, 1999.

James R. Jenkins
MAYOR James R. Jenkins

ATTEST:
Charles P. Hanley
CITY CLERK Charles P. Hanley