

§ 2-18 POWERS AND DUTIES.

(a) The Flint Housing Commission shall have all the powers and duties vested or permitted to be vested in housing commissions by State law, it being the intention of this article to vest in the Flint Housing Commission all powers and duties permitted by law.

(b) The Flint Housing Commission shall be designated as a borrower pursuant to State law, and have all of the power and authority as a borrower set forth in Public Act 18 of 1933.

(Ord. 1788, passed 7-27-1964; Ord. 3782, passed 9-23-2010)

Statutory reference:

Housing facilities, see MCLA 125.651 through 125.709e

ARTICLE V. HUMAN RELATIONS COMMISSION

§ 2-19 CREATED; MEMBERSHIP; COMPENSATION AND TERM OF MEMBERS; MEETINGS.

It is hereby found that prejudice and discrimination against any individual or group because of race, color, religion, national origin, sex, marital status, political orientation, age or handicap is inimical to democracy, the cornerstone of our American tradition, and menaces peace and public welfare. That eliminate such prejudice and discrimination, an instrumentality of government should be established through which the citizens of Flint may be kept informed of developments in human relations and from which the elected and appointed officials, and the departments of this City may obtain advice and assistance in adopting those measures to keep peace and good order and harmony among the citizens of Flint, and to promote and insure equality of treatment and of opportunity to all, regardless of race, color, religion, national origin, sex, marital status, political orientation, age or handicap.

Therefore, there is hereby created and established a commission to be known as the Human Relations Commission, consisting of fifteen members to be appointed by the Mayor with the approval of the City Council. The members of the Human Relations Commission, as nearly as possible, shall be representatives of the various racial, religious, national, cultural and ethnic groups of the City. They shall serve without compensation but shall be reimbursed for expenses actually and necessarily incurred in connection with their duties as members of the Human Relations Commission subject to the approval of the Mayor. Of the 15 members so appointed, one-third shall be for one year, one-third shall be for two years and one-third shall be for three years, and thereafter appointments shall be for three-year terms. In the event of death or resignation of any member, his or her successor shall be appointed by the Mayor to serve for the unexpired term for which such member had been appointed. Current members of the Human Relations Commission shall continue to serve until their respective terms expire and shall then be eligible for reappointment in accordance with Section 6-101 of the Charter of the City of Flint. The City Council, may by appropriate action, increase the membership of the Human Relations Commission to a total of not more than 21 members, preferably in multiples of three. One-third of the new members shall be appointed for one year, one-third for two years and one-third for three years, and thereafter any member shall be appointed for a

three-year term, and shall likewise be as nearly as possible representative of the community as herein set forth.

In addition to the membership provided for previously in this section, one member of the City Council shall be appointed by the City Council to serve as an ex officio member of the Human Relations Commission. Such member shall serve during his term of office and shall act as liaison between the City Council and the Human Relations Commission.

The Human Relations Commission shall meet not less than once a month and shall adopt, by majority rule, such rules as it shall deem expedient for the conduct of its business. Such rules shall be adopted in accordance with Section 1-801 of the City Charter.

(Ord. 2602, passed 4-25-1977)

§ 2-19.1 DEFINITIONS.

For the purposes of this article, the terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

AGE. Chronological age over the legal age of 18 years.

COMMISSION. The Flint Human Relations Commission.

DIRECTOR. The Executive Director of the Flint Human Relations Commission.

HANDICAP. A limitation of physical capabilities unrelated to one’s ability to safely perform work involved in jobs or positions available for such person for hire or promotion of a limitation of physical capabilities unrelated to one’s ability to acquire, rent and maintain property. **HANDICAP** includes but is not limited to blindness or partial sightedness, deafness or hearing impairment, muteness, partial or total absence of a physical member, speech impairment and motor impairment.

HIS. Refers to a person, male or female.

MARITAL STATUS. The state of being married, single, separated, divorced or widowed.

PERSON. Any individual, group, association, corporation, partnership, receiver, trust, trustee, trustee in bankruptcy, unincorporated organization, any legal or commercial entity, the State or any governmental entity or agency.

PLACE OF PUBLIC ACCOMMODATION. An educational, health, entertainment, cultural, recreation, refreshment, transportation, accommodation, business or other facility of any kind, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold or otherwise made available to the general public, or which receives financial support through solicitation of the general public or through governmental subsidy of any kind.

REAL ESTATE TRANSPORTATION. The sale, exchange, rental or lease of any real property.

SEXUAL ORIENTATION. A preference with regard to the sex of one’s actual or potential sexual

partners.

(Ord. 2602, passed 4-25-1977; Ord. 3131, passed 4-9-1990)

§ 2-19.2 DISCRIMINATORY PRACTICES.

It shall be an unfair or discriminatory practice for any person, for reasons of race, color, religion, national origin, sex, sexual orientation, age, marital status, political affiliation, or handicap, to:

(a) Refuse the sale, exchange, lease or rental of any housing accommodation or living quarters of any sort, or initiate a real estate transaction or advertise such housing accommodation in a fashion as to discriminate against any individual on the basis of such categories; or to discriminate against any person on the basis of such categories with reference to the availability, terms, conditions or privileges of such real estate transaction, in the lending of money or otherwise making available funding for the acquisition of such housing accommodations.

(b) Refuse to hire or render employment service to any individual or to conduct personnel matters in such fashion as to discriminate on the basis of those categories.

(c) Deny or limit access to a place of accommodation or facilities thereof in such fashion as to discriminate any individual on the basis of said categories.

(d) Deprive any student of the right to equal educational opportunity on the basis of such categories.

(e) No person shall adopt, enforce or employ any policy or requirement, publish, post or broadcast any advertisement, sign or notice that discriminates or indicates discrimination in providing housing, employment or public accommodations.

It is further a discriminatory practice to retaliate or discriminate against a person because he or she has opposed a discriminatory practice, filed a charge or complaint, testified or assisted in an investigation undertaken by the Human Relations Commission.

It shall not be considered a discriminatory practice for a religious organization or institution to restrict any of its facilities of housing or accommodation which are operated in connection with its religious activities to persons of the denomination involved, to restrict enrollment in denominational schools to members of that denomination, or to restrict enrollment opportunities to persons of that denomination, if a bona fide religious purpose for such restriction exists.

(Ord. 2602, passed 4-25-1977; Ord. 3131, passed 4-9-1990)

§ 2-20 DUTIES.

The objectives of the Human Relations Commission shall be to work cooperatively with other persons to eliminate discrimination and the results of the past discrimination, to recommend ways and means of initiating and improving city government programs designed to eliminate discrimination or to remove the effects of past discrimination, and to develop programs for coordination of community efforts to address problems involving tensions in the community.

In performing this function, the Commission shall strive to increase the effectiveness of these programs, to increase the fairness with which these programs are operated and to increase interdepartmental harmony in the operation of these programs. To achieve the objectives of this article, the Human Relations Commission shall:

- (a) Develop mutual understanding and respect among all racial, religious, nationality, cultural and ethnic groups in the City of Flint and work to prevent discriminatory practices against such groups.
- (b) Aid in seeing that no person is deprived of equal services in this City by reason of discrimination on account of race, color, religion, national origin, sex, sexual orientation, marital status, political affiliation, age, or handicap.
- (c) Encourage, receive, investigate and evaluate complaints from any person of discrimination which allegedly violates local law, and any other complaints as it deems fall within the scope of its services, and make public the procedures which a person may use to complain of discrimination.
- (d) Receive and investigate complaints and problems and initiate its own investigations of intergroup tensions and of practices of discrimination and acts of prejudice against any person or group due to considerations of race, color, religion, national origin, sex, sexual orientation, marital status, political affiliation, age or handicap.
- (e) Confer with the Chief Legal Officer on such complaints as appear to require legal process after initial investigation and/or failure to achieve conciliation.
- (f) Initiate and conduct hearings not otherwise prohibited by law in situations in which the Commission has reason to believe that discrimination has occurred in violation of law.
- (g) Engage in testing of discriminatory practices without entrapment where necessary to verify information relating to complaints of alleged discriminatory practices.
- (h) Investigate upon request or initiate investigation of racial incidents, make recommendations for corrective action, and coordinate community efforts towards their resolution.
- (i) Formulate, develop and disseminate programs of community information, educational materials, and reports which will assist in the elimination of prejudice, intolerance, intergroup tensions and discrimination, or which promote goodwill and result in better human relations.
- (j) Maintain a program in cooperation with local employers, unions, employment agencies and other relevant persons seeking to improve employment opportunities for persons who have been the traditional targets of discrimination in employment.
- (k) Assist community groups and various fraternal, service and benevolent organizations in the promotion of educational campaigns devoted to the elimination of group prejudices, racial or neighborhood tensions, intolerances and discrimination.
- (l) Conduct research and obtain data to ascertain the status and treatment of racial, religious and ethnic groups of the City and the best means of progressively improving human relations in Flint.
- (m) Cooperate with and render assistance to the Ombudsman, the Citizens Action Center, the equal opportunity officers and other branches of City government in the area of human rights.

(n) Cooperate with and render assistance to County, State, Federal and other governmental or private agencies in the area of human rights.

(o) Prepare and publish an annual report and such other factual reports and recommendations as it deems necessary concerning problems relating to discrimination, racial tensions, and other human relations concerns. Copies of all the reports and recommendations shall be filed with the City Council.

(Ord. 2602, passed 4-25-1977; Ord. 3131, passed 4-9-1990)

§ 2-21 BUDGET; OFFICE SPACE.

The Human Relations Commission shall be granted an annual budget adequate to provide such professional and clerical staff as is reasonable and proper to enable it to carry out its responsibilities, and shall be assigned office space adequate for the conduct of its business and the fulfillment of its duties.

(Ord. 2602, passed 4-25-1977)

§ 2-22 FILING OF COMPLAINTS.

Any person claiming to be aggrieved by a discriminatory practice prohibited by § 2-19.2 of this Code may file with the Human Relations Commission a complaint, written or oral, identifying himself and stating his belief that a discriminatory practice has been committed. The Commission may, on its own initiative, file a complaint based upon information and belief that a discriminatory practice has occurred. The Commission may endeavor to eliminate the alleged discriminatory practice by conference, conciliation and persuasion.

Neither the Commission nor any employee affiliated therewith shall make public, without the written consent of complainant and respondent, information concerning efforts to eliminate a discriminatory practice.

(Ord. 2602, passed 4-25-1977)

§ 2-23 OBTAINING OF FACTUAL INFORMATION.

The obtaining of factual information by the Human Relations Commission in the performance of its duties under this article is hereby declared to be necessary to its functions. All other departments of the City shall cooperate with the Human Relations Commission, upon its request, relative to the gathering of factual information; provided, however, that the opinion of the Chief Legal Officer shall be obtained in such matters as appear to involve some liability on the part of the City.

(Ord. 2602, passed 4-25-1977)

§ 2-23.1 MEDIATION AND ENFORCEMENT POWERS.

In cases involving alleged violations of this article, the Executive Director may enter into agreements

whereby persons agree to methods of terminating discrimination or to reverse the effects of past discrimination. Such agreement shall be reviewed by the Human Relations Commission. Violations of such agreements shall be violations of this article.

Discriminatory practices as defined in this article are violations of this article.

(Ord. 3131, passed 4-9-1990)

§ 2-24 EXECUTIVE DIRECTOR.

There is hereby created the position of Executive Director of the Human Relations Commission, who shall be appointed by the Mayor from a list of at least three names submitted to him by the Human Relations Commission, said appointment to be subject to confirmation by a majority vote of the City Council members elect. The Executive Director may be removed by the Mayor, subject to concurrence of a majority of the members of the Human Relations Commission as constituted at the time action is taken. The Executive Director shall have the authority and responsibility for the execution of the policies and programs of the Human Relations Commission and shall be in charge of the administration and operation of that program. The Executive Director shall also perform such other duties as are delegated by the Mayor and the Human Relations Commission.

(Ord. 2602, passed 4-25-1977)

§ 2-25 RESERVED.

ARTICLE VI. CITY WIDE ADVISORY COMMITTEE

§ 2-26 CREATED.

There is hereby created a City Wide Advisory Committee in accordance with Section 6-101 of the Flint City Charter to act in an advisory capacity to the City of Flint in connection with all community and economic development programs.

(Ord. 2902, passed 4-9-1984)

§ 2-26.1 COMPOSITION; APPOINTMENT AND REMOVAL OF MEMBERS.

(a) The City Wide Advisory Committee (CWAC) shall, except as otherwise provided herein, consist of 27 members. There shall be three members from each of the nine wards of the city serving on the CWAC. In each ward the City Council shall appoint two (2) members and the Mayor shall appoint one (1) member to the CWAC.

(b) A member of the CWAC shall be a registered voter and a resident of the ward in which he or she is appointed.