

**GREENWOOD, MISSISSIPPI, CHAPTER 2 - ADMINISTRATION,
ARTICLE VI, NONDISCRIMINATION ORDINANCE**

Be it ordained by the City Council of Greenwood, Mississippi, as follows:

Section 1: The Municipal Code of the City of Greenwood, Mississippi, is hereby amended to create a new Article VI under Chapter 2 - Administration entitled "Unlawful Discrimination" to read as follows:

Sec. 2-205. - Purpose and Intent. It is the purpose and intent of the Greenwood City Council to protect and safeguard the right and opportunity of all persons to be free from all forms of discrimination, including discrimination based on real or perceived race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, marital status, familial status, or veteran status. The Council's purpose in enacting this ordinance is to promote the public health and welfare of all persons who live and work in the City of Greenwood. It is important for the City to ensure that all persons within the City have equal access to employment, housing, and public accommodations.

Sec. 2-206. - Definitions. For the purposes of this ordinance, the following terms shall have the following meanings:

- (1) AGE. An individual's status as having obtained forty or more years of age.
- (2) CITY CONTRACTOR. Any person, corporation, or entity that has a contract to do business with the City of Greenwood.
- (3) DISCRIMINATE, DISCRIMINATION OR DISCRIMINATORY. Any act, policy or practice that, regardless of intent, has the effect of subjecting any person to differential treatment as a result of that person's real or perceived race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, marital status, familial status, or veteran status.
- (4) EMPLOYEE. Any individual employed by or seeking employment from an employer, excluding any individual employed by his or her parents, spouse or child.
- (5) EMPLOYER. A person who employs one or more employees in the City of Greenwood, or any agent of such person. Employer shall include the City of Greenwood and any City Contractor.
- (6) FAMILIAL STATUS. Means an individual's past, current or prospective status as parent or legal guardian to a child or children below the age of eighteen (18) who may or may not reside with that individual.
- (7) GENDER IDENTITY. The actual or perceived gender-related identity, expression, appearance, or mannerisms, or other gender-related characteristics of an individual, regardless of the individual's designated sex at birth.
- (8) MARITAL STATUS. An individual's past, current, or prospective status as single, married, domestically partnered, divorced, or widowed.

(9) NATIONAL ORIGIN. An individual's or his or her ancestor's place of origin.

(10) PLACE OF PUBLIC RESORT, ACCOMMODATION, ASSEMBLAGE, OR AMUSEMENT. Any place, store, or other establishment, either licensed or unlicensed, that supplies accommodations, goods, or services to the general public, or that solicits or accepts the patronage or trade of the general public, or that is supported directly or indirectly by government funds. the term does not include any of the following:

a. Any lodging establishment which contains not more than three rooms for rent and which is actually occupied by the proprietor of such establishment as a primary residence.

b. Any private club, bona fide membership organization, or other establishment that is not in fact open to the public.

(11) RELIGION. All aspects of religious belief, observance, and practice.

(12) SEXUAL ORIENTATION. Actual or perceived homosexuality, heterosexuality, or bisexuality.

(13) VETERAN STATUS. An individual's status as one who served in the active military, naval or air service, and who was discharged or released under conditions other than dishonorable.

Sec. 2-207. - Civil Rights Declared. The right of an otherwise qualified person to be free from discrimination because of that person's real or perceived race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, marital status, familial status, or veteran status is recognized as and declared to be a civil right. This right shall include, but not be limited to, all of the following:

(1) The right to obtain and hold employment and the benefits associated therewith without discrimination.

(2) The right to the full enjoyment of any of the accommodations, advantages, facilities, or privileges of any place of public resort, accommodation, assemblage, or amusement without discrimination.

(3) The right to engage in property transactions, including obtaining housing for rental or sale and credit therefor, without discrimination.

(4) The right to exercise any right granted under this ordinance without suffering coercion or retaliation.

Sec. 2-208. - Exceptions. Notwithstanding the foregoing, the following are not discriminatory practices prohibited by Sec. 86-228 of this ordinance:

(1) A religious corporation, association, or society that employs an individual of a

particular religion to perform work connected with the performance of religious activities by the corporation, association, or society.

(2) An employer who observes the conditions of a bona fide affirmative action plan or bona fide seniority system which is not a pretext to evade the purposes of this ordinance.

Sec. 2-209. - Other Remedies. This ordinance may not be construed to limit any other remedies available under state or federal law.

Section 2: The Municipal Code of the City of Greenwood, Mississippi, is hereby amended by revising Sec. 2-169 as follows:

Sec. 2-169. - Report of Hate Crimes.

(a) Definition of hate crime. Any crime committed because of the actual or perceived race, color, religion, ethnicity, ancestry, national origin, gender, sexual orientation, gender identity, age, or disability of the victim.

(b) Responsibilities of law enforcement and other officials.

(1) The City of Greenwood, Mississippi, shall develop guidelines for the collection and documentation of hate crimes committed within the corporate limits of the City of Greenwood, Mississippi.

(2) The City of Greenwood, Mississippi, is authorized to provide sufficient training to its law enforcement personnel on criminal laws involving hate crimes as well as departmental policies on proper reporting of hate crimes.

(3) The City of Greenwood, Mississippi, shall ensure that sufficient resources are made available to the Greenwood, Mississippi, Police Department and to the Municipal Court Division of the Greenwood, Mississippi, Department of Administration to develop and implement a standardized system for collecting and analyzing hate crimes committed within the corporate limits of the City of Greenwood, Mississippi.

(4) The City of Greenwood, Mississippi, is authorized to provide annual statistical data regarding the occurrence of hate crimes and the groups or individuals targeted to the Federal Bureau of Investigation, pursuant to 28 U.S.C. 534, for entry into the national crime information database.

(5) The Greenwood, Mississippi, Police Department is authorized to:

a. Complete training on the nature of hate crimes, the victim(s), the perpetrator(s), and the procedures for recording hate crimes statistics.

b. Identify victims of possible hate crimes committed within the City.

c. Prepare an annual report of the occurrence of hate crimes committed within the corporate limits of the City of Greenwood, Mississippi, for the previous year.

Section 3: The Municipal Code of the City of Greenwood, Mississippi, is hereby amended by revising Sec. 126-161 as follows:

Sec. 126-161. - Passenger Discrimination Prohibited.

No driver shall refuse to accept a passenger solely on the basis of real or perceived race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, marital status, familial status, or veteran status. For the purposes of this section, the terms “sexual orientation” and “gender identity” shall have the meanings ascribed to them in Sec. 86-227. All vehicles shall comply with the Americans with Disabilities Act (ADA).