Chapter 22 - HUMAN RELATIONS

ARTICLE I. - IN GENERAL

Secs. 22-1—22-17. - Reserved.

ARTICLE II. - FAIR HOUSING

Footnotes:
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State Law reference— Fair housing, 25 O.S. § 1451 et seq.

DIVISION 1. - GENERALLY

Sec. 22-18. - Intent.

The general intention of the city council in the adoption of this article is to:

(1) Secure for all residents of the city, equal access to housing in all neighborhoods and areas of the city.

(2) Preserve the public welfare, to provide for the preservation of public peace, health and safety.

(Code 1966, § 4-62; Code 1982, § 11-1; Ord. No. 1646, § 1, 1-10-1977)

Sec. 22-19. - Jurisdiction.

The fair housing council shall have jurisdiction to hear complaints involving discrimination in housing as set forth in 25 O.S. §§ 1451 through 1453.

Secs. 22-20—22-51. - Reserved.

DIVISION 2. - FAIR HOUSING COUNCIL

Sec. 22-52. - Created.

There is hereby created a fair housing council.

(Code 1966, § 4-65; Code 1982, § 11-21; Ord. No. 1646, § 1, 1-10-1977)

Sec. 22-53. - Members.
The fair housing council shall be composed of five members to be appointed by the mayor and city council, for terms of three years, excepting that of the members first appointed under this chapter, two shall be appointed for a term of one year, and two shall be appointed for a term of two years, and one shall be appointed for a term of three years.


Sec. 22-54. - Powers.

The powers of the fair housing council shall be:

(1) To prescribe such rules and regulations as it shall deem necessary or expedient for the conduct and carrying out of its functions, and it shall have the power to revoke, suspend, or amend any rule or regulation as administered by said council, regardless of the manner in which prescribed.

(2) Seek settlement and disposition of any complaint filed with it by means of conference and conciliation.

(3) Either by itself or by any officer or person designated for the purposes by it, to investigate and to examine or inquire into the affairs or operation of any person within its jurisdiction, and when so authorized by the city council to employ consultants and professional counsel to aid in such investigations, examinations, or inquiries.

(4) For the purpose of gathering evidence on any subject, to subpoena and examine witnesses, books, papers, and other effects.

(5) To initiate in its name, or to receive and initiate upon the filing of formal charges, complaints against any person violating any of the provisions of this chapter.

(Code 1966, § 4-66; Code 1982, § 11-23; Ord. No. 1646, § 1, 1-10-1977)

Secs. 22-55—22-81. - Reserved.

DIVISION 3. - COMPLAINT PROCEDURE

Sec. 22-82. - Generally.

(a) Any person aggrieved by any discriminatory practice prohibited by this chapter may file with the fair housing council a complaint in writing under oath. The complaint shall be signed by the person claiming to be aggrieved, and shall state the name and address of the person alleged to have violated the provisions of this chapter, and shall further set forth the particulars of the violation, and may include such other information as may be required by the council. Complaints filed under this section must be filed within 30 days after the alleged violation, and failure to file within said time period shall be considered a waiver of the right to file a complaint. The council may issue a complaint on its own initiative, at any time that it comes within the knowledge of the fair housing council that a person has violated any of the provisions of this chapter.

(b) The fair housing council may investigate each complaint filed with it, and shall attempt an adjustment of said complaint by means of conference and conciliation. 60 days shall be allowed for the purpose of investigation, conference, and conciliation. Upon determination that a complaint is not well founded, the council shall dismiss said complaint and notify the complainant and respondent in writing of said dismissal. If the council takes no action within 90 days of the filing of the complaint, it shall be considered as dismissed.
Sec. 22-83. - Hearing.

(a) If the fair housing council is unsuccessful by means of conference or conciliation in securing compliance with this section by any person, firm, corporation or association against which a complaint has been filed, then a notice in writing shall be served upon the person complained against (hereinafter referred to as the respondent), notifying said respondent of the alleged violation of the provisions of this chapter, and requesting that said respondent answer charges of said complaint at a hearing before the fair housing council.

(b) The fair housing council shall give notice of any such hearing at least ten days before the date and time which such hearing has been set. Any and all notices required under the provisions of this chapter may be served personally on any person complained against, or by mailing a copy thereof by certified registered mail, with return receipt requested, to the most current business or residential address of said person.

(c) The notice shall contain the request for the respondent to appear at a hearing for the purposes of determining whether or not a violation of this article has been committed, which hearings shall be held at a certain time and place which shall be specified in said notice. The notice shall advise the respondent that upon failure to comply with the notice, said respondent shall be considered to be in violation of the provisions of this chapter.

(d) The following provisions shall govern the hearing before the fair housing council:

1. At such hearing, the complaint shall be heard by the fair housing council. At the hearing, the respondent shall appear either in person, or by counsel and shall be required to file a written answer to the complaint. The complainant or person aggrieved by the actions of said person, may also appear in person or by counsel at said hearing. The fair housing council will then proceed to hold a hearing to determine whether the respondent has committed an act in violation of the provisions of this chapter and which act is detrimental to the health, benefit and welfare of the public, the community, and the citizens of the city.

2. The fair housing council, when conducting any hearing, shall permit both the person aggrieved and the respondent to introduce any such witnesses, evidence, testimony, or exhibits as either party deems necessary and prudent. The fair housing council may at such time permit amendments to any written complaint or answer as filed with the fair housing council and all testimony taken at the hearing shall be under oath. Either party represented at said hearing shall have the right to request that the testimony be transcribed, or said testimony shall be transcribed at the direction of the fair housing council.

3. If the fair housing council finds at any such hearing, that the respondent has engaged in discriminatory practices as prohibited by this chapter, it shall state its findings of fact in written report form and forward said report to the city attorney for appropriate actions. All prosecutions for violations of provisions of this chapter shall be brought by the city attorney in accordance with the provisions contained in chapter 31 and other sections of this Code pertaining to municipal court prosecutions.

4. If the fair housing council, upon hearing, finds that respondent has not engaged in any discriminatory practices as prohibited herein, it shall so state its findings in written report form, and further shall issue and file an order dismissing the complaint.

(e) The fair housing council shall have the authority and right to promulgate such rules and regulations and shall govern, expedite, and assist the foregoing procedures as it deems necessary. It shall further maintain all files as provided for herein.