

ORDINANCE NO. 112-19

**AN ORDINANCE ADOPTING NEW CHAPTER 717 OF THE CODIFIED
ORDINANCES OF THE CITY OF MEDINA TO PROHIBIT DISCRIMINATORY
CONDUCT ON THE BASIS OF SEXUAL ORIENTATION AND GENDER IDENTITY
OR EXPRESSION**

WHEREAS, this Council passed Resolution 147-15 in 2015 to affirm the City’s ongoing commitment to diversity;

WHEREAS, nondiscrimination protections are already afforded under state and federal law to protect against discrimination based on race, color, sex, religion, disability, national origin, ancestry, age, and military status, and discrimination occurring based on these protected classes can be sent to the Ohio Civil Rights Commission, Equal Employment Opportunity Commission, and/or the U.S. Department of Housing and Urban Development’s Office of Fair Housing and Equal Opportunity;

WHEREAS, in addition to the foregoing, Council desires to protect and safeguard the rights and opportunities of all persons to be free from discrimination based on sexual orientation and gender identity or expression;

WHEREAS, Council aims to ensure that all persons who work in, live in, or visit the City of Medina have equal access to employment, housing, and public accommodations.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Medina, Ohio that:

Section 1. Chapter 717, “Discriminatory Conduct in Housing, Employment, and Public Accommodations Based on Sexual Orientation and Gender Identity or Expression” of the Codified Ordinances of the City of Medina,” is enacted to provide as follows:

“Chapter 717

**DISCRIMINATORY CONDUCT IN HOUSING, EMPLOYMENT, AND
PUBLIC ACCOMMODATIONS BASED ON SEXUAL ORIENTATION
AND GENDER IDENTITY OR EXPRESSION**

- 717.01 DEFINITIONS.
- 717.02 FAIR HOUSING.
- 717.03 UNLAWFUL DISCRIMINATORY PRACTICES RELATING TO EMPLOYMENT.
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- 717.09 DISMISSAL OF COMPLAINTS.
- 717.10 JUDICIAL RELIEF.
- 717.11 NON-EXCLUSIVE REMEDIES.
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717.01 DEFINITIONS.

As used in this Chapter 717:

(a) “Discriminate and discrimination” includes segregated or separated or any difference in treatment based on actual or perceived sexual orientation and gender identity or expression.

(b) “Employer” means any person who employs four (4) or more persons within the City of Medina, including the municipal government of the City of Medina, its boards, commissions, and other affiliated agencies.

(c) “Gender identity or expression” means an individual’s actual or perceived gender-related identity, appearance, expression, mannerisms, or other gender-related characteristics, regardless of the individual’s designated sex at birth.

(d) “Restrictive covenant” means any specification limiting the transfer, rental, lease, or other use of any housing accommodations because of sexual orientation and gender identity or expression, or any limitation based upon affiliation with or approval by any person, directly or indirectly, employing sexual orientation and gender identity or expression as a condition of affiliation or approval.

(e) “Sexual orientation” means a person’s actual or perceived homosexuality, bisexuality, or heterosexuality.

(f) “Unlawful discriminatory practice” means any act prohibited by this Chapter 717.

717.02 FAIR HOUSING.

(a) It shall be an unlawful discriminatory practice for any person to engage in any of the following acts wholly or partially:

(1) To discriminate by impeding, delaying, discouraging or otherwise limiting or restricting any real estate transaction based on sexual orientation and gender identity or expression;

(2) To discriminate by imposing less preferential terms on a real estate transaction based on sexual orientation and gender identity or expression;

(3) To represent falsely that an interest in real estate is not available for a real estate transaction because of sexual orientation and gender identity or expression;

(4) To include in the terms or conditions of a real estate transaction any discriminatory clause, condition or restriction based on sexual orientation and gender identity or expression;

(5) To discriminate in performing, or refusing to perform, any act necessary to determine an individual's financial ability to engage in a real estate transaction based on sexual orientation and gender identity or expression;

(6) For a property manager to discriminate by refusing to provide equal treatment of, or services to, occupants of any real estate which the property manager manages based on sexual orientation and gender identity or expression;

(7) To make, print or publish, or cause to be made, printed or published any discriminatory notice, statement, or advertisement with respect to a real estate transaction or proposed real estate transaction, or financing relating thereto based on sexual orientation and gender identity or expression;

(8) To discriminate in any financial transaction involving real estate, on account of the location of the real estate, be it residential or non-residential (commonly known as "red-lining"), based on sexual orientation and gender identity or expression;

(9) For a real estate operator, a real estate broker, a real estate salesperson, a financial institution, an employee of any of these, or any other person, for the purposes of inducing a real estate transaction from which such person may benefit financially to represent that a change has occurred or will or may occur in the composition with respect to sexual orientation and gender identity or expression of the owners or occupants in the block, neighborhood or area in which the real property is located or to represent that this change will or may result in the lowering of property values, an increase in criminal or antisocial behavior, or a decline in the quality of schools in the block, neighborhood or area in which the real property is located (commonly known as "block-busting");

(10) For any person to discriminate in any manner against any other person because that person has opposed any unlawful practice defined in this chapter, or because that person has made a charge, testified, assisted, or participated in any manner, in any investigation, proceeding, or hearing under the provisions of this chapter; and

(11) Notwithstanding the provisions of division (a)(1) through (10) of this section, it shall not be an unlawful discriminatory practice for an owner, lessor, or renter to refuse to rent, lease, or sublease a portion of a single family dwelling unit to a person as a tenant, roomer, or boarder where it is anticipated that the owner, lessor, or renter will be occupying any portion of the single-family dwelling.

(b) Exemptions.

(1) Unless otherwise provided by law, nothing in this section shall bar any religious or denominational corporation, institution, association or organization, or any nonprofit

charitable or educational organization that is operated, supervised, or controlled by or in connection with a religious or denominational corporation, institution, association or organization, from limiting the sale, rental, or occupancy of housing accommodations that it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference in the sale, rental, or occupancy of such housing accommodations to persons of the same religion.

(2) Unless otherwise provided by law, nothing in this section shall bar any bona fide private or fraternal organization that, incidental to its primary purpose, owns or operates lodgings for a non-commercial purpose, from limiting the rental or occupancy for the lodgings to its members or from giving preference to its members.

(3) Nothing in this section shall be interpreted to infringe upon or otherwise interfere with any rights protected by the Free Exercise Clause of the First Amendment to the United States Constitution or the Religious Freedom Restoration Act, codified at 42 U.S.C. §§2000bb, *et seq.*, or its successor provisions, if applicable.

717.03 UNLAWFUL DISCRIMINATORY PRACTICES RELATING TO EMPLOYMENT.

It shall be an unlawful discriminatory practice, except where based upon applicable national security regulations established by the United States government:

(a) For any employer, because of the person's sexual orientation and gender identity or expression to refuse to hire that person or otherwise to discriminate against that person with respect to hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment;

(b) For any employer, employment agency, or labor organization to establish, announce or follow a policy of denying or limiting, the employment or membership opportunities of any person or group of persons because of their sexual orientation and gender identity or expression;

(c) For any employer, labor organization, or joint labor-management committee controlling apprentice training programs to discriminate against any person because of that person's sexual orientation and gender identity or expression in admission to employment in any program established to provide apprentice training;

(d) For any employer, employment agency, or labor organization to publish or circulate, or to cause to be published or circulated, any notice or advertisement relating to employment or membership which indicates any preference, limitation, specifications or discrimination based upon sexual orientation and gender identity or expression;

(e) For any employment agency to refuse or fail to accept, register, classify properly, or refer for employment or otherwise to discriminate against any person because of their sexual orientation and gender identity or expression;

(f) For any employer, employment agency, or labor organization to utilize in the recruitment or hiring of persons, any employment agency, placement service, labor organization, training school or center, or any other employee-referring source, known to discriminate against persons because of their sexual orientation and gender identity or expression;

(g) For any labor organization to discriminate against any person or limit that person's employment opportunities, or otherwise adversely affect that person's status as an employee, or that person's wages, hours, or employment conditions, because of their sexual orientation and gender identity or expression;

(h) For an employment agency, to comply with, accommodate, or otherwise assist with locating an employee related to, a request from an employer for referral of applicants for employment if the request indicates, directly or indirectly, that the employer fails, or may fail, to comply with this chapter;

(i) For any labor organization to limit or classify its membership on the basis of sexual orientation and gender identity or expression;

(j) For any employer, employment agency or labor organization to:

(1) Elicit or attempt to elicit any information concerning the sex, gender identity or expression, or sexual orientation of an applicant for employment or membership;

(2) Use any form of application for employment or personnel or membership blank seeking to elicit information regarding sexual orientation and gender identity or expression but an employer holding a contract containing a non-discrimination clause with the government of the United States or any department or agency thereof, may require an employee or applicant for employment to furnish documentary proof of United States citizenship and may retain such proof in the employer's personnel records and may use photographic or fingerprint identification for security purposes;

(k) For any employer, employment agency or labor organization to discriminate against any person because that person has opposed any practice forbidden by this chapter or because that person has made a complaint or assisted in any manner in any investigation or proceeding under this chapter; or

(l) For any person, whether or not an employer, employment agency or labor organization, to aid, incite, compel, coerce, or participate in the doing of any act declared to be unlawful discriminatory practice by this chapter, or to obstruct or prevent any person from enforcing or complying with the provisions of this chapter, or to attempt directly or indirectly to commit any act declared by this chapter to be an unlawful discriminatory practice by this chapter, or to obstruct or prevent any person from enforcing or complying with the provisions of this chapter, or to attempt directly or indirectly to commit any act declared by this chapter to be an unlawful discriminatory practice.

(m) Nothing in this section shall apply to a religious or denominational corporation, institution, association, organization, educational institution, or society with respect to the employment of an individual to perform work connected with the carrying on by that religious or denominational corporation, institution, association, organization, educational institution, or society of its activities.

(n) Nothing in this section shall be interpreted to infringe upon or otherwise interfere with any rights protected by the Free Exercise Clause of the First Amendment to the United States Constitution or the Religious Freedom Restoration Act, codified at 42 U.S.C. §§2000bb, *et seq.*, or its successor provisions, if applicable.

717.04 UNLAWFUL DISCRIMINATORY PRACTICES RELATING TO PUBLIC ACCOMMODATIONS.

It shall be an unlawful discriminatory practice:

(a) For any proprietor or their employee, keeper, or manager of a place of public accommodation to deny to any person except for reasons applicable alike to all persons regardless of a person's sexual orientation and gender identity or expression the full enjoyment of the accommodations, advantages, facilities, or privileges thereof;

(b) For any proprietor or their employee, keeper, or manager of a place of public accommodation to publish, circulate, issue, display, post or mail, either directly or indirectly, any printed or written communication, notice or advertisement to the effect that any of the accommodations, advantages, facilities, goods, products, services and privileges of any such place shall be refused, withheld or denied to any person on account of sexual orientation and gender identity or expression or that such person is unwelcome, objectionable, or not acceptable, desired or solicited; or

(c) For any person, whether or not included in divisions (a) and (b) in this section, to aid, incite, compel, coerce, or participate in the doing of any act declared to be an unlawful discriminatory practice under this section.

(d) Nothing in this section shall prohibit a religious or denominational corporation, institution, organization, association, or society, or any nonprofit charitable or education organization that is operated, supervised or controlled by or in connection with a religious or denominational corporation, institution, organization, association, or society from limiting its offerings of goods, services, facilities and accommodations to persons of the same religion, or from giving preference to such persons, provided that such offerings mentioned above are not offered for non-religious, commercial purposes. Religious or denominational places of regular worship and educational facilities, or their contiguous facilities, are exempt from this section.

(e) Nothing in this section shall be interpreted to infringe upon or otherwise interfere with any rights protected by the Free Exercise Clause of the First Amendment to the United States Constitution or the Religious Freedom Restoration Act, codified at 42 U.S.C. §§2000bb, *et seq.*, or its successor provisions, if applicable.

717.05 UNLAWFUL DISCRIMINATORY PRACTICES RELATING TO EDUCATIONAL INSTITUTIONS.

It shall be unlawful for an educational institution to engage in any of the following acts wholly or partially for a discriminatory reason because of sexual orientation and gender identity or expression:

(a) To deny, restrict, abridge or condition the use of, or access to, any educational facilities or educational services to any person otherwise qualified;

(b) Notwithstanding the provisions of subsection (a), it shall not be an unlawful discriminatory practice to limit attendance in classes or programs conducted by an educational institution based upon a reasonable educational objective, except where to do so would otherwise violate a duty imposed upon the institution by federal or state law to provide reasonable accommodation; and

(c) Notwithstanding the provisions of subsection (a), it shall not be an unlawful discriminatory practice for an educational institution operated by a religious or denominational corporation, institution, association or organization, or established for a bona fide religious purpose, to admit students or program attendees on the basis of that student's or attendee's religious or denominational affiliation or preference.

(d) Nothing in this section shall be interpreted to infringe upon or otherwise interfere with any rights protected by the Free Exercise Clause of the First Amendment to the United States Constitution or the Religious Freedom Restoration Act, codified at 42 U.S.C. §§2000bb, *et seq.*, or any successor provisions, if applicable.

(e) For purposes of this chapter, "educational institution" shall not include any institution or school operated by a religious or denominational corporation, institution, association or organization.

717.06 CITY SERVICES, FACILITIES, TRANSACTIONS AND CONTRACTS.

The City of Medina shall be bound by the provisions of this chapter to the same extent as private persons. All contractors proposing to, or currently doing business with the City of Medina municipal government shall abide by the provisions of this chapter.

717.07 DISCRIMINATORY CONDUCT ADMINISTRATOR.

The City of Medina Director of Law, and/or their designee within the Law Department, (for purposes of this chapter, (the "Administrator") shall serve as the City employee designated to receive "Complaints" (as defined in Section 717.08 of this chapter) including conducting investigations, scheduling mediations, and contracting with third parties to investigate and mediate Complaints under this chapter. If mediation is unsuccessful, the Administrator is authorized to

conduct or oversee an investigation of the Complaint and enforcement of this chapter, including by taking any actions authorized by Section 717.10 of this chapter.

717.08 COMPLAINT AND ENFORCEMENT PROCEDURES.

(a) Complaints.

(1) Whenever it is alleged in writing and under oath or affirmation by a person, referred to in this chapter as the "Complainant", that any person, employer, employment agency, and/or labor organization, referred to in this chapter as the "Respondent", has engaged or is engaging in any unlawful discriminatory practice or act as defined in this chapter (the "Complaint"), the Administrator shall determine, no later than forty (40) business days of receipt of the Complaint, whether a Complaint of discrimination alleges a violation based on gender identity or expression, or sexual orientation with sufficient clarity for the matter to be investigated, mediated, and, when appropriate, enforced under the procedures in this chapter.

(2) Complaints of discrimination alleging a violation of this chapter based on sexual orientation or gender identity or expression, along with an allegation of discrimination because of the Complainant's status in a different legally-protected class (a "Hybrid Complaint") may be subject to deferral to the Ohio Civil Rights Commission ("OCRC") and/or the U.S. Department of Housing and Urban Development's Office of Fair Housing and Equal Opportunity ("FHEO") or the Equal Employment Opportunity Commission ("EEOC") as set forth in this section.

A. The Administrator shall notify a Complainant of the potential additional rights and remedies available by filing a Hybrid Complaint with the OCRC, FHEO or EEOC and that by failing to file with those state and federal authorities, the Complainant may forego their right to do so in the future. Such notification shall be in writing and by certified mail within ten (10) business days of the Administrator's decision to refer the Complaint to the OCRC, FHEO or EEOC.

B. In the event a Complainant declines, in writing, to file a charge with OCRC, FHEO or EEOC, the Administrator may oversee investigation into and/or mediation of the complaint in accordance with this chapter. In the event a Complainant elects to file a charge with OCRC, FHEO or EEOC, the Administrator shall not hear the Hybrid Complaint while the matter remains pending at the state or federal level unless and until such charge, in its entirety, reaches a final disposition; provided, however, nothing in this division B prohibits a Complainant from filing a separate Complaint as provided in division (a)(3) of this section.

(3) Complaints of discrimination alleging a violation of this chapter shall be overseen by the Administrator in accordance with this chapter without deferral of the Complaint to the OCRC, FHEO, or EEOC unless and until state or federal law is revised to grant the OCRC, FHEO, or EEOC jurisdiction to adjudicate allegations of discrimination on the basis of sexual orientation and/or gender identity or expression, at which time such Complaints may be subject to deferral to those state and federal agencies. A Complaint

that fails to properly allege a violation of this chapter may be dismissed by the Administrator at any time.

(b) Deadline for Filing.

A Complaint alleging discrimination under this chapter shall be filed with the Administrator within one hundred twenty (120) days after the alleged unlawful discriminatory practice(s) or act(s) is committed, or within one (1) year after the Complainant discovered or by reasonable diligence should have known of such practice(s) or act(s). The Complaint shall be filed upon oath or affirmation and shall contain such information, including the date, place and circumstances of the alleged discriminatory practice(s) or act(s). The Administrator shall serve notice upon the Complainant acknowledging such filing and advising the Complainant of the time limits provided herein.

(c) Respondent.

(1) Within twenty eight (28) days after the Administrator determines that a Complaint of discrimination alleges a violation based on gender identity or expression, or sexual orientation with sufficient clarity for the matter to be investigated, mediated, and enforced under the procedures in this chapter, the Administrator shall serve a copy of the Complaint and a written notice upon the Respondent identifying the alleged discriminatory practice(s) and setting forth the rights and obligations of the parties under this chapter. Such service shall be by certified mail return receipt requested.

(2) A person who is not named as a Respondent in a Complaint, but who is identified as a Respondent in the course of an investigation, may be joined as an additional or substitute Respondent upon written notice to such person from the Administrator. Notice shall be served upon such additional or substitute Respondent(s) within twenty (20) days of such joinder or substitution and shall explain the basis for the Administrator's belief that the person to whom the notice is addressed is properly joined as a Respondent.

(3) The Respondent may file a Response to the Complaint with the Administrator by regular U.S. Mail, hand delivery, or electronic mail no later than thirty (30) days after service of the Complaint.

(4) The Respondent's Response shall be served by the Administrator upon the Complainant by regular U.S. Mail or electronic mail within fourteen (14) days of receipt by the Administrator.

(d) Investigations.

(1) The Administrator may investigate the allegations in the Complaint or cause the City to enter into a contract with a third party to conduct all necessary investigations into the allegations made in a Complaint and any facts or issues raised in Respondent's Response to a Complaint. An investigation may include, but is not limited to, the following: reading of any and all submitted materials including the Complaint and

response, questioning of all Parties and any witness(es), speaking with identified third parties (e.g., employers, co-workers, co-tenants, neighbors), seeking document(s) relevant to the Complaint and the Response, etc.

(2) Upon completion of any third-party investigation, the Administrator shall require the third party to prepare a written report and submit other evidentiary materials detailing the findings of the investigation.

(3) Upon completion of any investigation, the Administrator shall review the facts and any investigatory report(s) and underlying materials and shall endeavor to schedule a mediation between the Complainant and the Respondent before a neutral third-party mediator. Written notification of the mediation shall be served upon the Complainant and Respondent by certified mail return receipt requested or electronic mail.

(e) Mediation. The Administrator shall endeavor to resolve the Complainant's allegations with a mutually agreed upon mediator who shall be a neutral person who is an attorney licensed to practice in Ohio and with mediation experience and discrimination representation experience. If the parties to the mediation cannot agree on a mediator, the Administrator shall choose the mediator.

(1) Nothing said or done in the course of a mediation shall be disclosed or used as evidence in any subsequent proceeding or civil action.

(2) Mediation shall be completed within one hundred twenty (120) days of the filing of the Complaint and shall toll or suspend all other dates and deadlines under this chapter. If mediation fails, the Administrator shall review the facts of the Complaint, and any investigatory report(s) and underlying materials to determine if there has been a violation of this chapter. If the Administrator determines a violation has occurred, the Administrator may bring an action to enforce the provisions of this chapter and seek relief on behalf of the City as authorized in Section 717.08 (f)(1) and (2) and Section 717.10 of this chapter.

(3) An agreement between the parties arising out of such mediation shall be reduced to a written agreement executed by the Respondent and the Complainant and by the Administrator on behalf of the City of Medina. The City of Medina shall have an interest in the mediation agreement related to enforcement of the purposes and enforcement of this chapter.

(4) The Administrator may impose civil penalties for a violation or breach of a mediation agreement.

(f) Penalties.

(1) The Administrator may impose civil penalties and may issue a cease and desist order for a Complainant's or Respondent's failure to appear at an agreed upon mediation,

for a violation or breach of a mediation agreement, and/or for any other violation of this chapter in the following amounts:

A. Five hundred dollars (\$500) for a Complainant's or Respondent's failure to appear at an agreed upon mediation without a showing of good cause, or Complainant's or Respondent's first breach of a mediation agreement, or any other violation of this chapter, as determined by the Administrator

B. One thousand dollars (\$1,000) for a Complainant's or Respondent's second breach of a mediation agreement or a second violation of any other provision of this chapter, as determined by the Administrator.

C. One thousand five hundred dollars (\$1,500) for a Complainant's or Respondent's third or any subsequent breaches of a mediation agreement, or a third or subsequent violation of any other provision of this chapter, as determined by the Administrator.

(2) Upon the failure or refusal of a person to pay the foregoing civil penalties, a civil penalty may be enforced and collected through a civil action brought in the Medina Municipal Court and the court costs shall be charged to the defending party. The civil fines shall be used to offset the costs of administering this chapter.

(3) If the Complainant fails to appear at an agreed upon mediation without a showing of good cause, the Complaint may be dismissed at the discretion of the Administrator.

(4) A civil penalty for the filing of a False Complaint under Section 717.09(b) of this chapter may be enforced and collected through a civil action brought in the Medina Municipal Court and the court costs shall be charged to the defending party. The civil penalties for the filing of a False Complaint may be imposed on a Complainant as follows:

A. Five hundred dollars (\$500) for the filing of the first False Complaint.

B. One thousand dollars (\$1,000) for the filing of a second False Complaint.

C. One thousand five hundred dollars (\$1,500) for the filing of a third and any subsequent False Complaint.

717.09 DISMISSAL OF COMPLAINTS.

(a) Where mediation is unsuccessful, the Administrator shall then review the facts related to the Complaint and the Response and any investigatory report(s) and underlying materials to determine if there has been a violation of this chapter. Where the Administrator determines a violation has occurred, the Administrator shall proceed to enforce this chapter as described in Sections 717.08 (f)(4) and 717.10 of this chapter. Where the Administrator determines that no violation under this chapter has occurred, the Administrator shall dismiss the Complaint upon the

Administrator's written findings. The Administrator shall promptly serve notice upon the Complainant, Respondent, and any necessary party of any dismissal pursuant to this section.

(b) No person shall knowingly file a Complaint including false or fraudulent information, submitted in bad faith with the intent to defame or to cause other reputational or material harm to an individual, entity or organization (for purposes of this chapter, a "False Complaint"). A determination or finding by the Administrator that a Complaint is unsubstantiated is, alone, insufficient to prove the existence of a False complaint. Upon written findings by the Administrator that a Complainant has filed a False Complaint, the Administrator may impose a civil penalty on the Complainant, as referenced in Section 717.08 (f)(4) of this chapter.

717.10 JUDICIAL RELIEF.

(a) If any attempt at mediation under this chapter fails or is otherwise unsuccessful, and the Administrator then determines that a Respondent or Complainant has violated this chapter by engaging in conduct prohibited by this chapter or by filing a False Complaint, the Administrator may, in the Administrator's capacity as the Director of Law for the City of Medina, enforce this chapter by initiating an action in the Medina Municipal Court to collect an unpaid monetary civil penalty as specified in Section 717.08(f) of this chapter.

(b) If any Complainant or Respondent violates any term of a mediation agreement, the Administrator, in the Administrator's capacity as the Director of Law for the City of Medina, may bring an action in the name of the City of Medina for a breach of the mediation agreement and /or specific performance of the mediation agreement in either the Medina Municipal Court or the Medina County Court of Common Pleas, as the Administrator deems to be appropriate.

(c) If a Respondent or a Complainant continues to violate the provisions of this chapter after a civil fine has been imposed on that person, the Administrator, in the Administrator's capacity as the Director of Law for the City of Medina, may bring an injunction action in the name of the City of Medina in the Medina County Common Pleas Court against the violator to seek an order from the court to stop the violation or to otherwise compel compliance with this chapter and may bring any other legal or equitable court action as is provided by law.

717.11 NON-EXCLUSIVE REMEDIES.

Nothing contained in this chapter shall prevent any person from exercising any right or seeking any remedy to which they might otherwise be entitled under any other law, regulation, or policy. The remedies provided for in this chapter are in addition to, and not in lieu of, other remedies. A person's decision to seek remedies provided for in this chapter shall not toll any statute of limitations which may apply to any claim, charge, or complaint.

717.12 SEVERABILITY.

This chapter and each section and division thereof are hereby declared to be independent provisions, sections, and divisions, notwithstanding any other evidence of legislative intent, and it

is hereby declared to be the controlling legislative intent that if any provisions of this chapter, its sections and the divisions thereof, or the application thereof to any person or circumstance, is held to be invalid, the remaining sections and divisions of each section in this chapter shall not be affected thereby. It is hereby declared that such sections and divisions of this chapter would have been passed independently of such section or division that is held to be invalid.”

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

Section 3. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: July 8, 2019

SIGNED: John M. Coyne, III
 President of Council

ATTEST: Kathy Patton
 Clerk of Council

APPROVED: July 9, 2019

SIGNED: Dennis Hanwell
 Mayor

Effective Date: August 7, 2019