

ORDINANCE NO. 2023-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING FLAGSTAFF CITY CODE, TITLE 14 HUMAN RELATIONS, CHAPTER 14-02 CIVIL RIGHTS, SECTION 14-02-001-0006 COMPLAINT PROCEDURES, TO ALLOW A VERIFIED CHARGE TO BE FILED WITHIN ONE HUNDRED AND EIGHTY (180) CALENDAR DAYS AFTER THE ALLEGED VIOLATION OCCURRED; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, the City of Flagstaff is committed to nondiscrimination and fair treatment of its residents, visitors, and employees; and

WHEREAS, the City of Flagstaff (“City”) is comprised of diverse and varied groups, communities, and individuals, and the practice of discrimination against these groups, communities, or individuals on the basis of race, color, religion, sex, age, disability, veteran’s status, national origin, sexual orientation, and gender identity or expression, in places of public accommodation and in employment, adversely affects the general welfare of the City and the vitality of its neighborhoods; and

WHEREAS, discriminatory practices are detrimental because they impede the social and economic progress of the City by preventing all people from contributing to or fully participating in the cultural, spiritual, social, and commercial life of the community, which is essential to the growth and vitality of its neighborhoods and businesses; and

WHEREAS, the City of Flagstaff wishes to amend Title 14, Human Relations, of the Flagstaff City Code, to allow complaints pertaining to civil rights violations to be filed within one hundred and eighty (180) calendar days after the alleged violation occurred; and

WHEREAS, similar complaint procedures in federal and Arizona state statutes allow such complaints to be filed within one hundred and eighty (180) calendar days after the alleged violation occurred.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION #1. That Flagstaff City Code Title 14, Human Relations, Subsection 14-02-001-0006(A), Complaint Procedures, is hereby amended as follows:

Section 14-02-001-0006 Complaint Procedures.

- Any person claiming to be aggrieved by an alleged violation of this chapter (hereinafter the “Complainant”) may file with the City Manager’s Office (“CMO”)

a verified charge, in writing, within ~~ninety~~ **ONE HUNDRED AND EIGHTY** (~~90~~**180**) calendar days after the alleged violation occurred. The charge shall set forth the facts upon which it is based, shall identify the person charged (hereinafter the "R**es**pondent"), and shall be signed by the C**o**mplainant.

SECTION #2. Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict with the provisions of the code adopted herein are hereby repealed.

SECTION #3. Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION #4. Clerical Corrections

The City Clerk is hereby authorized to correct clerical and grammatical errors, if any, related to this ordinance, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the Flagstaff City Code.

SECTION #5. Effective Date

This Ordinance shall be effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 16th day of May, 2023.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY