

ORDINANCE NO. ~~254-022~~

AN ORDINANCE AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKINGS AND PERTAINING TO THE AUTHORITY AND DUTIES OF THE BROOKINGS HUMAN RIGHTS COMMISSION.

BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BROOKINGS, STATE OF SOUTH DAKOTA, AS FOLLOWS:

I.

That Section 2-154 – ~~2-1675~~ of the Code of Ordinances and pertaining to the authority and duties of the Brookings Human Rights Commission is hereby amended to read as follows:

**Sec. 2-154. - Purpose.**

The purpose of the Brookings Human Rights Commission (BHRC) is to improve human relations and civil rights in the Brookings area by fighting discrimination ~~through educational efforts and a complaint resolution procedure. The commission has the power to investigate complaints alleging discrimination~~ against individuals or groups because of their ~~age, disability,~~ race, color, ~~ethnicity,~~ sex, creed, religion, ancestry, national origin, familial status, ~~disability,~~ marital status, gender identity, ~~or sexual orientation, or political affiliation, with respect to employment, labor union membership, housing accommodations, property rights, education, public accommodations or public services.~~ The BHRC promotes educational activities to make Brookings an inclusive and welcoming community.

**Sec. 2-155. Substantive and procedural authority and duties.**

The authority and duties of the Brookings Human Rights Commission shall be to:

- (1) Promote human and civil rights for all its citizens and visitors.
- (2) ~~Promote a Foster~~ mutual understanding and respect among all racial, religious and nationality groups in the Brookings area and work to discourage and prevent discriminatory practices against any such group.
- ~~(3) Attempt to foster, through community effort or otherwise, goodwill, cooperation and conciliation.~~
- ~~(24) Seek to p~~Prevent and eliminate bias and discrimination by means of education, persuasion, conciliation and, to the extent permitted, enforcement, and utilize all the powers at its disposal to carry into execution the provisions of this chapter.
- ~~(3)~~ Study and ~~determine~~ publicize the existence, character, causes and extent of discrimination in employment, housing ~~accommodations and,~~ property rights, education, public accommodations, and public services in the city, ~~and discrimination based on age, disability, marital status, familial status, ethnicity, religion, sexual orientation, gender identity and political affiliation. The study and determination of discrimination is based on a broad understanding of civil and human rights as embodied in the 1964 Civil Rights Act as amended, which includes race, color, religion, gender and country of origin.~~

- (4) Provide intake assistance for complaints from individuals who may be victims of discrimination and refer such complaints to the South Dakota Human Rights Commission, or the Equal Employment Opportunity Commission, or other appropriate agencies for investigation and adjudication of the complaint.
- (5) Cooperate with various racial, religious and ethnic groups; community, civil, labor and business organizations; federal, state, and city agencies student organizations; fraternal and benevolent associations; veterans' organizations; and other groups in educational campaigns and programs to accomplish the objectives of this article.
- (6) Advise the mayor, city council members, city manager and the respective departments of the city concerning matters consistent with the purposes and powers of the human rights commission.
- (7) Recommend ordinances and other legislation pertinent to the purposes of protection of human rights and the promotion of inclusion.
- (8) Conduct educational programs and disseminate information in furtherance of the purposes and policies of the human rights commission.

**The following Sections of Chapter 2 are hereby repealed.**

- Sec. 2-156. - Filing complaint.
- Sec. 2-157. - Time for filing complaint.
- Sec. 2-158. - Service of respondent and answer.
- Sec. 2-159. - Determination of probable cause.
- Sec. 2-160. - Conciliation.
- Sec. 2-161. - Public hearing.
- Sec. 2-162. - Dismissal of complaint.
- Sec. 2-164. - Prosecution of violation.
- Sec. 2-167. - Time limit for filing complaint.

**III.**

Any or all ordinances in conflict herewith are hereby repealed.

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

CITY OF BROOKINGS, SOUTH DAKOTA

ATTEST:

\_\_\_\_\_  
Oepke G. Niemeyer, Mayor

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Bonnie Foster, City Clerk