ORDINANCE 2015-036       PASSED: AUGUST 24, 2015

AMENDING CHAPTER 49 "HUMAN RELATIONS COMMISSION", SECTION 49.01 “ESTABLISHMENT” OF THE MUNICIPAL CODE OF THE CITY OF DEKALB, ILLINOIS AS IT PERTAINS TO SERVICE ANIMALS.

WHEREAS, the City of DeKalb, DeKalb County, Illinois is a home rule community with those powers granted under the provisions of the Illinois Constitution and the Illinois Municipal Code, 65 ILCS 5/1-1-1, et. seq.; and,

WHEREAS, the City of DeKalb currently maintains Chapter 49 of the City Code, which relates to the Human Relations Commission of the City of DeKalb; and,

WHEREAS, the City Council finds that certain updates to Chapter 49 and certain other Sections of City Code are required to properly promote the public health, safety, welfare and morals;

THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of DeKalb, DeKalb County, Illinois, as follows:

Section 1. Ordinances Amended.

A) Section 49.01 shall be amended as follows:

49.01 ESTABLISHMENT.

There is hereby established a Human Relations Commission for the City of DeKalb.

a) Policy. It is the expressed intent of this Chapter to further the policy of the United States and the State of Illinois as expressed in their Constitutions and Law; to further understanding among people; and to protect and insure peace, health, safety and general welfare of all inhabitants of the City, it is hereby declared to be the policy of the City of DeKalb that discrimination based on race, creed, color, gender, religion, age, national origin or ancestry, physical or mental disability, marital status, matriculation, or sexual orientation is hereby prohibited.

b) Mission Statement. The mission of the Commission shall be to foster a community that respects and supports the diversity and dignity of all people and promotes building strong relationships between its diverse citizens, groups and organizations.

B) Section 18.22 of the City Code Added:

Section 18.22 of the City Code of Ordinances shall be added as follows:

18.22 SERVICE ANIMALS

It is the express policy of the City of DeKalb that service animals are permitted and encouraged
within the confines of applicable law. This ordinance shall supersede any contrary ordinance to the extent that federal or state law supersedes local control, with regard to any restriction or code which otherwise would prohibit the use or presence of service animals. It is the policy of the City to permit service animals at City events and functions, and otherwise to comply with applicable federal and state laws and regulations.

C) Section 1.22 of the City Code Added:

Section 1.22 of the City Code of Ordinances shall be added as follows:

1.22 NON-DISCRIMINATION:

It is the express policy of the City of DeKalb not to discriminate with regard to an individual’s race, creed, color, gender, religion, age, national origin or ancestry, physical or mental disability, marital status, sexual orientation or any other protected classification in its services, programs, contracts and employment practices.

D) Section 10.11 Amended:

Section 10.11 of the City Code of the City of DeKalb shall be amended with the addition of subsection (a)(8) as follows:

(a)(8) Prohibitions indicating that service animals are precluded from occupancy within a rental premise, in violation of any applicable federal or state law or regulation.

E) Section 10.16 Amended:

Section 10.16(f)(1) of the City Code of the City of DeKalb shall be amended as follows:

(f)(1) The City shall conduct landlord educational programs for landlords on an annual basis, advising of strategies for crime prevention and avoidance, updates to City Codes or applicable regulations, techniques for better interaction with tenants, and similar matters. Such training may also include information regarding allowance of service animals within rental premises.

F) Section 18.11 Amended:

Section 18.11 of the City Code of the City of DeKalb shall be amended as follows:

It shall be unlawful for any person to walk or carry a dog upon any public way within the Central Business District from Friday at 8:00 a.m. through Sunday at 6:00 p.m. during the annual DeKalb Corn Fest. Persons violating this section shall be fined not less than Fifty Dollars ($50.00) nor more than One Hundred Dollars ($100.00) for each offense. This ordinance shall not be applicable to any service animal afforded protection under any applicable federal or state law.

G) Section 55.09 Amended:
Section 55.09 of the City Code of Ordinances shall be amended with the addition of a subsection (i) as follows:

(i) In addition to all applicable local requirements, all hotel rooms shall comply with all applicable federal or state regulations, including but not limited to the Americans with Disabilities Act and any state regulations affecting room occupancy or hotel operations.

H) Section 58.06 Amended:

Section 58.06(f) of the City Code of Ordinances shall be amended as follows:

(f) The Commission shall help to establish a transition plan with regard to any structural changes or modification needed to comply with the Federal Rehabilitation Act of 1973, Section 504, the Americans with Disabilities Act, or other similar federal or state legislation. It will assist the City Manager in the continued update of this program. With regard to the definitions contained herein, the Commission shall base its recommendations upon such terms as defined within the applicable federal or state law (e.g. “disability” shall be interpreted as defined within Section 504 and the Americans with Disabilities Act).

Section 2. All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

Section 3. Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

Section 4. This Ordinance shall be in full force and effect after passage and publication pursuant to law. Publication date: August 25, 2015. Effective date: September 6, 2015.


ATTEST:

JENNIFER JEEP JOHNSON, City Clerk

JOHN A. REY, Mayor