

June 2nd 1958

City of Tacoma

ORDINANCE NO. 16123

BY REQUEST OF GOERING

AN ORDINANCE prohibiting discrimination in private housing against inhabitants of the City of Tacoma because of race, creed, color or national origin, which discrimination threatens not only the rights and proper privileges of its inhabitants, but menaces the institutions and foundation of a free democratic state; creating a Board Against Discrimination; setting forth the duties and functions of said Board and the qualifications of the members thereof; prescribing penalties for violations of the provisions hereof; and providing for the severability of the provisions hereof.

WHEREAS, in the City of Tacoma, County of Pierce, State of Washington, there are and may be practices of discrimination in private housing against certain of its inhabitants because of race, creed, color or national origin, which practices are a matter of City concern in that such discrimination threatens not only the rights and proper privileges of its inhabitants but menaces the institutions and foundation of a free, democratic state, Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. Except as provided in Section 2 hereof, no owner, lessee, sublessee, assignee or managing agent or other person having the right to sell, rent or lease a housing accommodation which is located in a multiple dwelling as defined in Section 13.06.010 of the Official Code of the City of Tacoma, or which is offered for sale by a person who owns or otherwise controls the sale of five or more one-family and two-family houses located on land that is contiguous, exclusive of public streets, or an agent of any of these, shall refuse to sell, rent, lease or otherwise deny or withhold from any person or group of persons such housing accommodations because of the race, creed, color or national origin or ancestry of such person or persons, or discriminate against or segregate any person because of his race, creed, color, national origin or ancestry, in the terms, conditions or privileges of the sale, rental or lease of any such housing accommodations, or in the furnishing of facilities or services in connection therewith.

Section 2. Nothing herein contained shall be construed to bar any religious or denominational institution or organization or bona fide club or place of accommodation which is by its nature distinctly private, including fraternal organizations, or any organization operated for charitable or educational purposes which is operated, supervised or controlled by or in connection with

a religious organization, from limiting admission to or giving preference to persons of the same religion or denomination or from making such selection as is calculated by such organization to promote the principles for which it is established or maintained.

Section 3. There is hereby created and established a board to be known as the City of Tacoma Board Against Discrimination, which shall consist of five members to be appointed by the Mayor of the City of Tacoma with the approval of the City Council, one of whom shall be elected by said members to serve in the capacity of chairman. Said members shall be appointed for a term of three years, provided, however, that of the members first appointed one member shall be appointed for a term of one year, two members for a term of two years and two members for a term of three years. Thereafter all such appointments shall be for a term of three years.

In the event of the death, resignation or removal of any member of said Board, the Mayor shall appoint a successor to serve said member's unexpired term, which appointment shall be made in the manner herein provided. Any member of the Board shall be eligible for re-appointment. The members of said Board shall serve without compensation. The City of Tacoma shall furnish to said Board such clerical help as may be required.

Section 4. Any person claiming to be aggrieved by a violation of Section 1 hereof may file with the Board Against Discrimination a complaint in writing, which shall state the name and address of the owner or other person alleged to have committed the violation complained of, and shall set forth the particulars thereof and such other information as may be required by said Board. Upon the filing of such complaint, or upon its own motion whenever it has reason to believe that any owner or other person has violated Section 1 hereof, such Board shall exercise the powers hereinafter set forth, with a view to conciliate the matter and eliminate any discriminatory practice it finds to exist.

Section 5. The Board Against Discrimination shall:

(a) Upon receiving a complaint as set forth in Section 4 above, give a written notice sent via registered mail to the owner or other person alleged to have violated Section 1 hereof, to appear before it on the date specified in said notice.

(b) Hold a hearing to hear such testimony as may be presented concerning any alleged violation of Section 1 hereof.

(c) Make written findings of fact from the testimony offered pursuant to subsection (b) as to whether or not there has been any discrimination as prohibited in Section 1 hereof.

(d) After a complete investigation of the alleged discrimination, issue an order based upon findings of fact made pursuant to subsection (c) and signed by the chairman of said Board; if from all the evidence the Board determines that an owner or other person has engaged in any discrimination as prohibited in Section 1 hereof, said Board shall cause to be served upon such person an order requiring such person to cease and desist from such discrimination; if from all the evidence the Board finds that the owner or other person has not engaged in any discrimination, it shall state its findings of fact and shall similarly issue and file an order dismissing the complaint.

(e) Report to the City Attorney the names of all persons not complying with any order and the terms thereof as provided for in subsection (d) hereof.

Section 6. SEVERABILITY. If any provision or section of this ordinance shall be held void or unconstitutional, all other parts, provisions and sections of this ordinance not expressly so held to be void or unconstitutional shall continue in full force and effect.

Section 7. PENALTIES FOR VIOLATION. Any person violating any of the provisions of this ordinance shall be punishable by a fine not exceeding \$300.00 or by imprisonment not exceeding ninety (90) days, or by both such fine and imprisonment.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest \_\_\_\_\_

\_\_\_\_\_  
City Clerk