

ORDINANCE NO. 644

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ITS CODE OF ORDINANCES BY AMENDING CHAPTER 1, “GENERAL PROVISIONS”, BY CREATING SECTION 1-14 “CIVIL RIGHTS”, PROVIDING FOR NON-DISCRIMINATION WITHIN THE TOWN OF OCEAN RIDGE; PROVIDING FOR CODIFICATION, REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town Commission previously adopted Resolution Number 2007-07 prohibiting discrimination in employment on the basis of race, color, sex, national origin, religion, age, disability, familial status, marital status, or sexual orientation; and

WHEREAS, the Town Commission seeks to codify the Town’s policy of non-discrimination; and

WHEREAS, the Town maintains policies against harassment and discrimination as it applies to Town employees; and

WHEREAS, such policies provide Town employees with a mechanism for reporting complaints internally while also allowing employees to seek redress through Federal and State administrative agencies and courts enforcing applicable Federal and State laws; and

WHEREAS, the Town Commission finds that codifying a non-discrimination policy is in the best interests of the citizens and residents of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

SECTION 1 – Findings of Fact: The **WHEREAS** clauses set forth above are adopted herein as findings of fact.

SECTION 2 – Amendment: Chapter 1 “General Provisions”, is hereby amended by creating Section 1-14 “Civil Rights” to read as follows:

Sec. 1 -14 Civil Rights

(a) Purpose.

The Ocean Ridge Town Commission desires to secure for its citizens freedom from discrimination because of race, color, national origin, religion, sex, gender identity or expression, genetic information, sexual orientation, disability, marital status, pregnancy, familial status, age, and any

other category protected from discrimination by applicable law, and thereby to protect their interest in personal dignity; to make available to the Town their full productive capacities; to secure the Town against domestic strife and unrest; to preserve the public safety, health and general welfare; and to promote the interests, rights and privileges of individuals within the Town. The Town Commission also desires to adopt an ordinance which is consistent with applicable federal and state laws and which affords its citizens a clear channel of access to remedies in the case of alleged discrimination, to wit, the Federal Equal Employment Opportunity Commission or the Florida Commission on Human Relations.

(b) Adoption of Ocean Ridge Civil Rights Act.

The Florida Civil Rights Act of 1992, Chapter 760, Sections 760.01 through 760.11 and Section 509.092 is adopted by reference as the Town of Ocean Ridge Civil Rights Act, subject to and including by reference such amendments, corrections and additions as shall occur to the Florida Civil Rights Act of 1992, and such amendments, corrections or additions as may appear in this Section. In addition, a discriminatory practice for purposes of the Town of Ocean Ridge Civil Rights Act shall include a practice based upon a person's sexual orientation, gender identity or expression, or genetic information.

(c) Definitions.

- i. "Sexual orientation" means the state of being heterosexual, homosexual or bisexual, or having a history of such identification.
- ii. "Gender identity or expression" means a person's various individual attributes, actual or perceived as they are understood to be masculine and/or feminine, or a person's self-identity, self-image, appearance or expression as a man or woman, whether or not different from those traditionally associated with the person's sex at birth.
- iii. "Genetic information" is defined in the Federal Genetic Information Nondiscrimination Act, as amended from time to time.

(d) Enforcement Procedures.

Employees of the Town shall make complaints of harassment or discrimination relating to employment as set forth in the Town's Employee Handbook and may seek redress through the filing of a charge with the Federal Equal Employment Opportunity Commission or the Florida Commission on Human Relations.

Residents of the Town of Ocean Ridge may file a complaint of harassment or discrimination with the Town Manager and may seek redress through the filing of a charge with the Federal Equal Employment Opportunity Commission or the Florida Commission on Human Relations.

SECTION 3 - Codification: The ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

SECTION 4 - Repeal of Conflicting Ordinances: All Ordinances, Resolutions or parts of

