

AN ORDINANCE PROVIDING "FAIR HOUSING" FOR THE CITY OF ST. MARY, MISSOURI, DEFINING DISCRIMINATORY HOUSING PRACTICES AND CREATING A FAIR HOUSING COMMITTEE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. MARY, MISSOURI, AS FOLLOWS:

SECTION 1. - Declaration of Policy

The City Council of the City of St. Mary hereby declares it to be the public policy of the City to eliminate discrimination and safeguard the right of any person to sell, purchase, lease, rent or obtain real property without regard to race, sex, color, national origin, ancestry, religion, religious affiliation, physical handicap and without regard to whether a family has children. This ordinance shall be deemed an exercise of the police powers of the City of St. Mary, Missouri, for the protection of the public welfare, prosperity, health and peace of the people of St. Mary.

SECTION 2. - Definitions

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein unless the context otherwise indicates.

- a. Person shall include any individual, form, partnership or corporation.
- b. Aggrieved person shall include any person who is attempting to provide housing for himself and/or his family in the City of St. Mary, Missouri.
- c. Discriminate shall mean distinctions in treatment because of race, sex, color, religion, national origin, handicap, or family status of any person.

SECTION 3. - Discriminatory Practices

It shall be a discriminatory practice and a violation of this ordinance for any person to:

- a. Refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rent of, or otherwise make unavailable or deny, a dwelling to any person because of race, sex, color, religion, religious affiliation, or national origin of any person.

- b. Discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, sex, color, religion, religious affiliation, or national origin.
- c. Make, print or publish, or cause to be made, printed or published, any notice, statement or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, sex, color, religion, religious affiliation, or national origin, or an intention to make any such preference, limitation or discrimination.
- d. Represent to any person because of race, sex, color, religion, religious affiliation, or national origin that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.
- e. For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood or a person or persons of a particular race, sex, color, religion, religious affiliation, or national origin.
- f. Bars discrimination in the sale or rental of housing on the basis of a handicap and requires the design and construction of new multi-family dwelling with four (4) or more units to meet certain adaptability and accessibility requirements.
- g. Bars discrimination in the sale or rental of housing because a family has children, but exempts certain types of buildings that house older persons, e.g. Section 202 housing.

SECTION 4. - Discrimination in the Financing of a House

It shall be unlawful for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part in the making of commercial real estate loans, to deny a loan to a person applying therefore for the purpose of purchasing, constructing, repairing or maintaining a dwelling, or to discriminate against him in the fixing of the amount or conditions of such loan, because of the race, sex, color, religion, religious affiliation or national origin of such person or of any person associated with him in connection with such financing.

SECTION 5. - Exemptions

The provisions of this ordinance, and particularly Section 3 hereof, shall not apply to the following:

a. A rental or leasing of a dwelling unit in a building which contains housing accommodations for not more than two (2) families living independently of each other, if the owner or members of his family reside in such dwelling unit.

b. A rental or leasing to less than five (5) persons living in a dwelling unit by the owner if the owner or members of his family reside therein.

c. Any single-family house sold or rented by an owner provided that such house is sold or rented:

(1) without the use of sales or rental facilities or services of real estate brokers, agents, salesmen, or persons in the business of selling or renting dwellings; and,

(2) without the publication, posting or mailing of any advertisement in violation of Section 3(c) of this ordinance;

provided, however, that:

(1) nothing in this provision shall prohibit the use of attorneys, escrow agents, abstractors, title companies and other such professional assistance as necessary to perfect or transfer the title; and,

(2) that any such private individual owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or any right to all or a portion of the proceeds from the sale or rental of more than three (3) such single-family houses at any one time.

d. For the purposes of subsection d, a person shall be in the business of selling or renting dwellings if:

(1) he has, within the preceding twelve (12) months, participated as principal in three (3) or more transactions involving the sale or rental of any dwelling or any interest therein; or,

(2) he has, within the preceding twelve (12) months, participated as agent, other than in the sale of his own personal residence, in providing sales or rental facilities or sales or rental services in two (2) or more transactions involving the sale or rental of any dwelling or any interest therein; or,

Reasonable precautions should be taken by the operator of any junkyard or automobile graveyard to prevent the same from becoming infested with rats or other rodents or by insects or other pests which may endanger the health and safety of the community.

Section 13. Violation of this Ordinance may be punished by a fine of not more than Five Hundred Dollars and by confinement in the City jail for not more than 30 days.

Section 14. This Ordinance shall be in full force and effect from and after its passage.

READ THREE TIMES AND PASSED THIS THE 8th DAY OF December, 1987.

*Robert L. Grass*  
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Mayor Robert L. Grass

ATTEST:

*JoAnn E. Donze*  
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City Clerk JoAnn E. Donze

<u>Aldermen</u>	<u>aye</u>	<u>nay</u>	<u>abstain</u>	<u>absent</u>
Francis Bader	X			
Henry Coffman	X			
Robert Schultz	X			
Stephen Schwent	X			

I, JoAnn E. Donze, Clerk of the City of St. Mary, MO., do hereby certify that the foregoing ordinance was duly passed and adopted by the Board of Aldermen of the City of St. Mary at a regular meeting thereof assembled this the 8th day of December, 1987.

*JoAnn E. Donze*  
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City Clerk JoAnn E. Donze