

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 5-8-020 of the Municipal Code of Chicago, is hereby amended by deleting the struck through language and inserting the underscored language as follows:

5-8-020 Discrimination prohibited.

It is further declared to be the policy of the City of Chicago that no owner, lessee, sublessee, assignee, managing agent, or other person, firm or corporation having the right to sell, rent or lease any housing accommodation, with the City of Chicago, or any agent of any of these, should refuse to sell, rent, lease, or otherwise deny to or withhold from any person or group of persons such housing accommodations because of his race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, Parental status, military status, ~~or source of income of such person or persons,~~ or because of actual or perceived association with such person or persons in the terms, conditions, or privileges or the sale, rental, or lease of any housing accommodation or in the furnishing of facilities or services in connection therewith.

SECTION 2. Section 6-10 of the Municipal Code of Chicago, is hereby amended by deleting the struck through language and inserting the underscored language as follows:

6-10-010 Declaration of City policy.

It is the policy of the City of Chicago to assure that all persons within its jurisdiction shall have equal access to public services and shall be protected in the enjoyment of civil rights, and to promote mutual understanding and respect among all who live and work within this city.

The City Council of the City of Chicago hereby declares and affirms:

That prejudice, intolerance, bigotry, and the discrimination occasioned thereby, and sexual harassment, threaten the rights and proper privileges of the city's inhabitants and menace the institutions and foundation of a free and democratic society; and

That behavior which denies equal treatment to any individual because of that individual's race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, source of income, credit history (within the meaning of section 6-10-053), ~~or criminal record or criminal history (within the meaning of Section 6-10-054),~~ or because of actual or perceived association with such an individual undermines civil order and deprives persons of the benefits of a free and open society.

Nothing in this chapter shall be construed as supporting or advocating any particular lifestyle or religious view. To the contrary, it is the intention of this chapter that all persons be treated fairly and equally and it is the express intent of this chapter to guarantee to all of our residents fair and equal treatment under law.

6-10-020 Definitions.

Whenever used in this chapter:

"Age" means chronological age of not less than 40 years.

"Applicant" means any person pursuing employment with an employer or with or through an employment agency.

"Arrest record" means: (1) an arrest not leading to a conviction; (2) a juvenile record; or (3) criminal history record information ordered, expunged, sealed, or impounded under Section 5.2 of the Criminal Identification Act

"Commission" means the Chicago Commission on Human Relations.

"Conviction record" means information indicating that a person has been convicted of a felony, misdemeanor, or other criminal offense, placed on probation, fined, imprisoned, or paroled by a court of any jurisdiction pursuant to any law enforcement or military authority.

"Credit history" means a record of an individual's past borrowing and repaying, including information about late payments and bankruptcy.

"Credit report" means any written or other communication of any information by a consumer reporting agency that bears on a consumer's creditworthiness, credit standing, credit capacity, or credit history.

"Credit transaction" means the grant, denial, extension, or termination of credit to an individual.

"Disability" means:

(i) a determinable physical or mental characteristic which may result from disease, injury, congenital condition of birth or functional disorder including, but not limited to, a determinable physical characteristic which necessitates a person's use of a guide, hearing, or support dog; or

(ii) the history of such a characteristic; or

(iii) the perception of such a characteristic by the person complained against.

"Employee" means an individual who is engaged to work within the geographical boundaries of the City of Chicago for or under the direction and control of another for monetary or other valuable consideration.

"Employer" means any individual, partnership, association, corporation, limited liability company, business trust, or any person or group of persons that provides employment for one or more employees in the current or preceding calendar year, and any agent of such an entity or person. To qualify as an employer for purposes of Section [6-10-054](#), such individual, group, or

entity must: (1) be subject to one or more of the license requirements in [Title 4](#) of this Code; or (2) maintain a business facility within the geographic boundaries of the City; or (3) both (1) and (2). The City of Chicago qualifies as an employer for purposes of Section [6-10-054](#).

"Employment" means any occupation or vocation.

"Employment agency" means a person that undertakes to procure employees or opportunities to work for potential employees, either through interviews, referrals, advertising, or any combination thereof.

"Gender identity" means the actual or perceived appearance, expression, identity, or behavior of a ~~person as being male or female~~ gender(s), whether or not that appearance, expression, identity, or behavior is different from that traditionally associated with the person's designated sex at birth.

"Marital status" means the legal status of being single, married, divorced, separated, or widowed.

"Military status" means (1) being on active duty in, or in any reserve component of, any branch of the armed forces of the United States, the State of Illinois, or any other state; (2) being a veteran of any such branch of the armed forces; or (3) the fact of discharge from any such branch of the armed forces and the reasons for such discharge.

"Parental status" means the status of living with one or more dependent minor or disabled children.

"Public accommodation" means a place, business establishment, or agency that sells, leases, provides or offers any product, facility, or service to the general public, regardless of ownership or operation (i) by a public body or agency; (ii) for or without regard to profit; or (iii) for a fee or not for a fee. An institution, club, association, or other place of accommodation which has more than 400 members, and provides regular meal service and regularly receives payment for dues, fees, accommodations, facilities, or services from or on behalf of nonmembers for the furtherance of trade or business shall be considered a place of public accommodation for purposes of this chapter.

"Religion" means all aspects of religious observance and practice, as well as belief, except that with respect to employers "religion" has the meaning ascribed to it in Section [6-10-050](#).

"Sexual orientation" means a person's actual or perceived sexual, romantic, and/or emotional attraction, or lack thereof, to another person.

"Sexual harassment" means any (i) unwelcome sexual advances or unwelcome conduct of a sexual nature; or (ii) requests for sexual favors or conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an

individual's employment, or (2) submission to or rejection of such conduct by an individual is used as the basis for any employment decision affecting the individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment; or (iii) sexual misconduct, which means any behavior of a sexual nature which also involves coercion, abuse of authority, or misuse of an individual's employment position.

"Source of income" means the lawful manner by which individuals support themselves and their dependents.

6-10-030 Unlawful discriminatory activities designated.

No person shall directly or indirectly discriminate against any individual in hiring, classification, grading, discharge, discipline, compensation, or other term or condition of employment because of the individual's race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, credit history (within the meaning of Section 6-10-053), criminal history (within the meaning of Section 6-10-054), ~~or source of income,~~ or because of the actual or perceived association with such an individual. No employment agency shall directly or indirectly discriminate against any individual in classification, processing, referral or recommendation for employment because of the individual's race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, credit history (within the meaning of Section 6-10-053), criminal history (within the meaning of Section 6-10-054), or source of income, or because of the actual or perceived association with such an individual.

The prohibitions contained in this paragraph shall not apply to any of the following:

- (a) use of an individual's unfavorable discharge from military service as a valid employment criterion where: (i) authorized by federal law or regulation; or (ii) where the affected position of employment involves the exercise of fiduciary responsibilities and the reasons for the dishonorable discharge are related to such individual's fiduciary capacity;
- (b) hiring or selecting between individuals for bona fide occupational qualifications; and
- (c) giving preferential treatment to veterans and their relatives as required by federal, state or local law or regulation.

6-10-060 Discriminatory practices – Credit transactions.

No person shall discriminate against any individual in any aspect of a credit transaction, or in any terms and conditions of bonding because of the individual's race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, ~~or source of income,~~ or because of the actual or perceived association with such an individual.

6-10-060 Discriminatory practices – Public accommodations.

No person that owns, leases, rents, operates, manages or in any manner controls a public accommodation shall withhold, deny, curtail, limit or discriminate concerning the full use of such public accommodation by any individual because of the individual's race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, ~~or~~ source of income or because of the actual or perceived association with such an individual. The prohibition contained in this section shall not apply to the following:

(a) a private club or other establishment not in fact open to the public, except to the extent that the products, facilities or services thereof are made available to the general public or to the customers or patrons of another establishment that is a public accommodation;

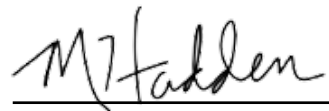
(b) any facility, as to discrimination based on sex, which is distinctly private in nature, such as restrooms, shower rooms, bathhouses, dressing rooms and health clubs;

(c) any facility, as to discrimination based on sex, which restricts rental of residential or sleeping rooms to individuals of one sex;

(d) any educational institution, as to discrimination based on sex, which restricts enrollment of students to individuals of one sex; and

(e) notwithstanding subsections (a) through (d) above, any person may use a public accommodation or any of its products, facilities or services that are open to persons of his or her sex. For purposes of this subsection, "sex" includes both biological category and gender identity. Each person determines his or her own gender identity; no proof shall be required except his or her expression of his or her gender.

SECTION 3. This ordinance shall take full force and effect upon passage and publication.

A handwritten signature in black ink, appearing to read "M. E. Hadden", written over a horizontal line.

Maria E. Hadden
Alderwoman, 49th Ward