

VILLAGE OF PALESTINE, ILLINOIS

ORDINANCE NO. 2009-O-06

AN ORDINANCE REGARDING FAIR HOUSING IN THE
VILLAGE OF PALESTINE, CRAWFORD COUNTY, ILLINOIS

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE
OF PALESTINE, CRAWFORD COUNTY, ILLINOIS THIS
2nd DAY OF July, 2009

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE BOARD
OF TRUSTEES OF THE VILLAGE OF PALESTINE, CRAWFORD COUNTY,
ILLINOIS THIS 6th DAY OF July, 2009



FLOYD FULLER, Village Clerk

ORDINANCE NO. 2009-O-

AN ORDINANCE REGARDING FAIR HOUSING IN THE
VILLAGE OF PALESTINE, CRAWFORD COUNTY, ILLINOIS

BE IT ORDAINED by the Board of Trustees of the Village of Palestine, Crawford County, Illinois, that it desires to assure equal opportunity to all residents regardless of race, color, religion, creed, national origin or ancestry, sex or disability, to live in decent, sanitary and healthful quarters, and this Ordinance is adopted for that purpose.

SECTION 1. DEFINITIONS. Unless a different meaning clearly appears from the context, the following terms shall have the meaning as described below and as used in this Ordinance.

Discriminate: The terms “discriminate” or “discrimination” mean any difference expressed in any way toward a person or persons in the terms of the sale, exchange, lease, rental or refinancing for housing accommodation and/or real property in regard to such sale, exchange, rental, lease or finance because of race, color, religion, national origin or ancestry, sex, creed, or disability of such person.

Housing Accommodation: The term “housing accommodation” includes any building, structure, or portion thereof which is used or occupied, maintained, arranged or designed to be used or occupied as a home, residence or sleeping place of one or more human beings, or any real state so used, designed or intended for such use.

Real Property: Means any real estate, vacant land, building, structure or housing accommodations within the corporate limits of the Village of Palestine, Illinois.

Real Estate Broker: Is any person, partnership, association, corporation and/or agent thereof, who for a fee or other valuable consideration offers, sells, purchases, exchanges or rents, or negotiates for the sale, purchase, exchange or rental of a

housing accommodation and/or real property of another, or collects rental for the use of housing accommodation and/or real property of another.

Financial Institution: The term "financial institution" means any person, institution or business entity of any kind which loans money to persons and receives as security for said loans a secured interest of any kind in the real property of the borrower.

Owner: Any person/persons who hold legal or equitable title to, or own any beneficial interest in any real property or who hold legal or equitable title to shares of, or hold any beneficial interest in any real estate cooperative which owns any real property and/or housing accommodations.

Decent, Sanitary, Healthful Standard Living Quarters: Is housing which is in sound, clean, and weather tight condition in conformance with applicable local, state, and national codes.

SECTION 2. CONSTITUTION OF THE STATE OF ILLINOIS.

(a) Article I. No person shall be denied any civil or political right, privilege or capacity on account of his religious opinions.

(b) Section 3. All persons shall have the right to be free from discrimination on the basis of race, color, creed, national ancestry and sex in . . . the sale or rental of property.

(c) Section 17. The equal protection of the laws shall not be denied or abridged on account of sex by the State or its units of local government and school districts.

(d) Section 18. All persons with a disability shall be free from discrimination in the sale of rental of property

SECTION 3. CONGRESS OF THE UNITED STATES. The Congress of the United States has provided that "it is the policy of the United States to provide, within

the constitutional limitations, for fair housing throughout the United States” and has established by law the following provisions: “. . . it shall be unlawful:

(a) To refuse to sell or rent after making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make available or deny, a dwelling to any person because of race, color, religion, sex or national origin.

(b) To 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, color, religion, sex, or national origin.”

SECTION 4. DECLARATION OF POLICY.

(a) In furthering the policy of the State of Illinois as expressed in its constitution and other Laws; in order that the safety and general welfare, peace and health of all the inhabitants of the Village may be ensured, it is hereby declared the policy of the Village of Palestine, Illinois, to assure equal opportunity to all residents, regardless of race, color, religion, national origin or ancestry, sex, creed, or physical disability to live in decent, sanitary, healthful, standard living quarters.

(b) It is the policy of the Village of Palestine, Illinois that no owner, lessee, sub-lessee, assignee, managing agent, or other person, firm or corporation having the right to sell, rent, lease (or otherwise control) any housing accommodation and/or real property within the Village, or any agent of these shall refuse to sell, rent, lease, or otherwise deny to or withhold from any person or group of persons such housing accommodations and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or disability of such person or persons or discriminate against any person or persons because of race, color, religion, national origin or ancestry, sex, creed or disability in the conditions, terms, privileges of the sale, rental or

lease of any housing accommodation and/or real property or in the furnishing of facilities and/or services in connection therewith.

(c) Relocation shall be carried out in a manner that will promote maximum choice with the community's total housing supply; lessen racial, ethnic, and economic concentrations; and facilitate desegregation and racially inclusive patterns of occupancy and use of public and private facilities.

SECTION 5. PROHIBITED ACTS. It shall be unlawful for any owner of real estate, lessee, sublessee, real estate broker or salesman, financial institute or employee of the financial institution, advertiser, or agent of any or all of the foregoing, to discriminate against any person or persons because of their race, color, religion, national origin or ancestry, sex, creed, or disability with regard to the sale, exchange or rental, or any dealing concerning any housing accommodation and/or real property.

In addition to the foregoing, it shall also be unlawful for any real estate broker or employee thereof, owner or other person, or financial institution dealing with housing or real property in the Village of Palestine, Illinois:

(a) To discriminate against any person in the availability of or the price, terms, conditions, or privileges of any kind relating to the sale, rental, lease, or occupancy of any housing accommodation or real property in the Village or in the furnishing of any facilities or services in connection therewith.

(b) To publish or circulate, or to be published or circulated, any notice, statement or advertisement, or to announce a policy, or to use any form of application, for the purchase, lease, rental or financing of real property, or to make any record of inquiry in connection with the prospective purchase, rental or lease of such real estate, which expresses directly or indirectly any discrimination as to race, color, religion, national origin or ancestry, sex, creed or disability of any person.

(c) To discriminate in connection with lending money, guaranteeing loans, accepting mortgages or otherwise obtaining or making available funds for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation and/or real property.

(d) To solicit for sale, lease, or listing for the sale or lease, of any housing accommodation and/or real property on the grounds of loss of value because of the present or prospective entry into any neighborhood of any person or persons of any particular race, color, religion, national origin or ancestry, sex, creed, or disability.

(e) To distribute or cause to be distributed, written material or statements designed to induce any owner or any housing accommodation and/or real property to sell or lease his or her property because of any present or prospective change in the race, color, religion, national origin or ancestry, sex, creed, or disability of persons in the neighborhood.

(f) To make any misrepresentations concerning the listing for sale or the anticipated listing for sale or the sale of any housing accommodation and/or real property for the purpose of inducing or attempting to induce the sale or listing for sale of any housing accommodation and/or real property by representing that the presence or anticipated presence of persons of any particular race, color, religion, national origin or ancestry, sex, creed, or disability in the area will or may result in the lowering of the property values in the block, neighborhood or area in which the property is located.

(g) For an owner to solicit any real estate broker to sell, rent or otherwise deal with such owner's housing accommodations and/or real property with any limitation on its sale based on race, color, religion, national origin or ancestry, sex, creed, or disability.

(h) For an owner to refuse to sell, rent, or otherwise deal with any housing accommodation and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or disability of the proposed buyer or tenant.

SECTION 6. PENALTY. Any person convicted of violating any of the provisions of this Ordinance shall be punished by a fine of not less than Fifty-five dollars (\$55.00) nor more than seven hundred fifty dollars (\$750.00). Each day a violation continues shall constitute a separate violation. This section shall in no way abrogate or impair the right of the Village of Palestine, Illinois, to specifically enforce, by any legal means, any of the provisions of this Ordinance.

This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Upon roll call vote the following Trustees voted aye:

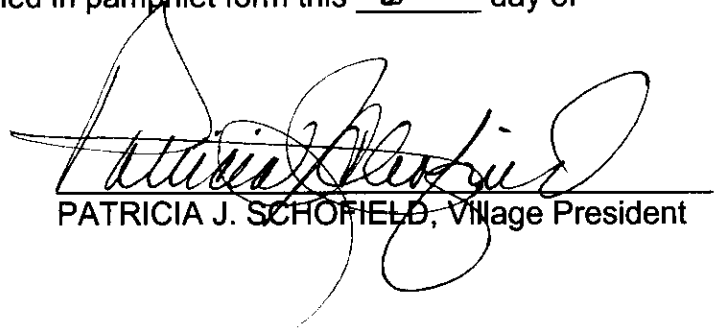
GENE PURCELL	LARRY SURRELLS	JD KIMBERLIN
GRETA DENNISON	DAVID BRANSON	JR DUNLAP

Upon roll call vote the following Trustees voted nay:

NONE

Passed, approved and published in pamphlet form this 6th day of

July, 2009.


PATRICIA J. SCHOFIELD, Village President

ATTEST:


FLOYD FULLER, Village Clerk