

RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON

STATE OF OHIO

ORDINANCE NO. 50-2021

AN ORDINANCE REVISING THE UPPER ARLINGTON ANTI-DISCRIMINATION ORDINANCE

WHEREAS, City Council desires to maintain and enhance an environment in which all individuals are welcome and included; and

WHEREAS, the Upper Arlington ordinance governing unlawful discriminatory practices has not been updated to reflect changes in state and federal law; and

WHEREAS, City Council believes Upper Arlington's ordinance governing unlawful discriminatory practices should continue to reflect changes in State and Federal law as reflected by both legislative updates and case law, and

WHEREAS, City Council seeks to provide clarity regarding protections by adopting legislation that makes it clear that a protection for a class recognized under the law applies in all contexts; and

WHEREAS, City Council wishes to establish a process in which impacted parties can seek redress for damages caused by unlawful discriminatory practices; and

WHEREAS, the inclusion of the opportunity to mediate in the process is deemed an essential tool to allow the parties to work together to reach a mutually agreeable resolution;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Upper Arlington, Ohio:

SECTION 1. Section 525.01 of the Upper Arlington Code of Ordinances shall be amended as follows:

§ 525.01 - DEFINITIONS.

As used in this chapter:

- (A) *Person*: includes one (1) or more individuals, partnerships, associations, organizations, corporations, legal representatives, trustees, trustees in bankruptcy, receivers and other organized groups of persons. It also includes, but is not limited to, any employee, lending institution; and the State, and all political subdivisions, authorities, agencies, boards and commissions thereof.
- (B) *Employer*: ~~includes the State or any political or civil subdivision thereof~~, any person **OR ENTITY** employing four (4) or more persons within the state, and any person acting in the interest of an employer, directly or indirectly.
- (C) *Employee*: does not include any individual employed in the domestic service of any person.
- (D) *Labor organization*: includes any organization which exists for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment or for other mutual aid or protection in relation to employment.
- (E) *Employment agency*: includes any person regularly undertaking with or without compensation to procure opportunities to work or to procure, recruit, refer or place employees.
- (F) *Discriminate*: ~~includes segregate or separate~~ **TO TREAT A PERSON DIFFERENTLY, OR LESS FAVORABLY. PROVIDING A REASONABLE ACCOMMODATION TO ADDRESS A DISABILITY DOES NOT CONSTITUTE DISCRIMINATION.**
- (G) Unlawful discriminatory practice: means any act prohibited by this **CHAPTER** ~~ORC § 4112.02~~.
- (H) *Place of public accommodation*: means any inn, restaurant, eating house, barbershop, public conveyance by air, land or water, theater, store or other place for the sale of merchandise or any other place of public accommodation or amusement where the accommodation, advantages, facilities or privileges thereof are available to the public.
- (I) *Housing accommodations*: include any building or structure or portion thereof which is used or occupied or is intended, arranged or designed to be used or occupied as the home residence or sleeping place of one (1) or more individuals, groups or families whether or not living independently of each other; and any vacant land offered for sale or lease.

It also includes any housing accommodations held or offered for sale or rent by a real estate broker, salesman or agent, or by any other person pursuant to authorization of the owner, by the owner himself or by his **A** legal representative.
- (J) *Restrictive covenant*: means any specification limiting the transfer, rental, lease or other use of any housing because of race, color, religion, national origin or ancestry, or any limitation based upon affiliation with or approval by any person, directly or indirectly, employing race, color, religion, national origin or ancestry as a condition of affiliation or approval.
- (K) *Burial lot*: means any lot for the burial of deceased persons within any public burial ground or cemetery, including but not limited to, cemeteries owned and operated by municipal corporations, townships or companies or associations incorporated for cemetery purposes.
- (L) **PROTECTED CLASS: CLASSIFICATION OF INDIVIDUALS BASED ON ONE OR MORE OF THE FOLLOWING CHARACTERISTICS: RACE, COLOR, RELIGION, SEX, MILITARY OR VETERAN STATUS, NATIONAL ORIGIN, AGE, ANCESTRY, FAMILIAL STATUS, DISABILITY, SEXUAL ORIENTATION, GENDER IDENTITY, OR GENDER EXPRESSION OR ANY CLASS OF PEOPLE DESIGNATED AS A PROTECTED CLASS BY STATE OR FEDERAL LAW.**
- (M) **RELIGIOUS EXEMPTION: INCLUDES THE RELIGIOUS EXEMPTIONS FOR HIRING AND HOUSING PROVIDED BY ORC 4112.02 and 4112.024 AND EXCEPTIONS ESTABLISHED IN 525.03.**

SECTION 2.

Section 525.02 of the Upper Arlington Code of Ordinances shall be amended as follows:

§ 525.02 - UNLAWFUL DISCRIMINATORY PRACTICES.

ABSENT A RELIGIOUS EXEMPTION, it shall be an unlawful discriminatory practice:

- (A) For any employer, ~~because of the race, color, religion, national origin or ancestry of any person,~~ to refuse to hire or otherwise to discriminate against him **ANY PERSON BASED ON A PROTECTED CLASS** with respect to hire, tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment.
- (B) For an employment agency, ~~because of race, color, religion, national origin or ancestry~~ **BASED ON A PROTECTED CLASS** to:
 - (1) Refuse or fail to accept, register, classify properly or refer for employment, or otherwise to discriminate against any person.
 - (2) Comply with a request from an employer for referral of applicants for employment, if the request indicates directly or indirectly that the employer fails to comply with the provisions of ORC §§ 4112.01 to 4112.07, inclusive or of this chapter.
- (C) For any labor organization to:
 - (1) Limit or classify its membership on the basis of **A PROTECTED CLASS** ~~race, color, religion, national origin or ancestry.~~
 - (2) Discriminate against any person or limit his **THAT PERSON'S** employment opportunities, or otherwise adversely affect his **THEIR** status as an employee or his wages, hours or employment conditions **BASED ON A PROTECTED CLASS** ~~because of his race, color, religion, national origin or ancestry.~~
- (D) For any employer, labor organization or joint labor-management committee controlling apprentice training programs to discriminate against any person **BASED ON A PROTECTED CLASS** ~~because of his race, color, religion, national origin or ancestry~~ in admission to or employment in any program established to provide apprentice training.
- (E) Except where based on a bona fide occupational qualification certified in advance by the Ohio Civil Rights Commission, for any employer, employment agency or labor organization prior to employment or admission to membership, to:
 - (1) ~~Elicit or attempt to elicit any information concerning the race, color, religion, national origin or ancestry of an applicant for employment or membership.~~
 - (2) ~~Make or keep a record of the race, color, religion, national origin or ancestry of any applicant for employment or membership.~~
 - (3) **(1)** Use any form of application for employment or personnel or membership blank seeking to elicit information regarding race, color, religion, national origin or ancestry; but an employer holding a contract containing a non-discrimination clause with the government of the United States or any department or agency thereof, may require an employee or applicant for employment to furnish documentary proof of United States citizenship and may retain such proof in his personnel records and may use photographic or fingerprint identification for security purposes.
 - (4) **(2)** Print or publish or cause to be printed or published any notice or advertisement relating to employment or membership indicating any preference, limitation, specification or discrimination, based upon **MEMBERSHIP IN A PROTECTED CLASS** ~~race, color, religion, national origin or ancestry.~~

- (5)(3) Announce or follow a policy of denying or limiting, through a quota system or otherwise, employment or membership opportunities of any group because of the race, color, religion, national origin or ancestry of such group.
- (6)(4) Utilize in the recruitment or hiring of persons any employment agency, placement service, training school or center, labor organization or any other employee-referring source known to such employer to discriminate against persons because of **MEMBERSHIP IN A PROTECTED CLASS** ~~their race, color, religion, national origin or ancestry.~~
- (F) ~~For any person seeking employment to publish or cause to be published any advertisement which specifies or in any manner indicates his race, color, religion, national origin or ancestry or expresses a limitation or preference as to the race, color, religion, national origin or ancestry of any prospective employer.~~
- (F)(G) For any proprietor or his employee, keeper or manager of a place of public accommodation to deny to any person, except for reasons applicable alike to all persons, ~~regardless of race, color, religion, national origin or ancestry,~~ the full enjoyment of the accommodations, advantages, facilities or privileges thereof **BASED ON THE PERSON'S MEMBERSHIP IN A PROTECTED CLASS.**
- (G) FOR ANY PERSON TO AID, ABET, INCITE, COMPEL OR COERCE THE DOING OF ANY ACT DECLARED BY THIS SECTION TO BE AN UNLAWFUL DISCRIMINATORY PRACTICE OR TO OBSTRUCT OR PREVENT ANY PERSON FROM COMPLYING WITH ORC §§ 4112.01 TO 4112.11, INCLUSIVE, OR THE PROVISIONS OF THIS CHAPTER; OR ANY ORDER ISSUED THEREUNDER, OR TO ATTEMPT DIRECTLY OR INDIRECTLY TO COMMIT ANY ACT DECLARED BY THIS SECTION TO BE AN UNLAWFUL DISCRIMINATORY PRACTICE.**
- (H) For any person to:
- (1) Refuse to sell, transfer, assign, ~~rent, lease, sublease,~~ finance or otherwise deny or withhold housing accommodation from any person **BASED ON THE PROTECTED CLASS** ~~because of the race, color, religion, ancestry or national origin~~ of any prospective owner, occupant or user of such housing.
 - (2) REFUSE TO LEASE OR RENT ANY REAL PROPERTY BASED ON THE PROTECTED CLASS OF ANY CURRENT OR PROSPECTIVE TENANT.**
 - ~~(23)~~ Represent to any person that housing is not available for inspection when in fact it is so available.
 - ~~(34)~~ Refuse to lend money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing or otherwise withhold financing of housing from any person **BASED ON THE PROTECTED CLASS** ~~because of the race, color, religion, ancestry or national origin~~ of any present or prospective owner, occupant or user of such housing, provided such person, whether an individual, corporation or association of any type, lends money as one (1) of the principal aspects of his **THEIR** business or incidental to his **THEIR** principal business and not only as a part of the purchase price of an owner-occupied residence ~~he is selling~~ nor merely casually or occasionally to a relative or friend.
 - ~~(45)~~ Discriminate against any person in the terms or conditions of selling, transferring, assigning, renting, leasing or subleasing any housing or in furnishing facilities, services or privileges in connection with the ownership, occupancy or use of any housing because of the **PROTECTED CLASS** ~~race, color, religion, ancestry or national origin~~ of any present or prospective owner, occupant or user of such housing.
 - ~~(56)~~ Discriminate against any person in the terms or conditions of any loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing because of the **PROTECTED CLASS** ~~race, color,~~

~~religion, ancestry or national origin~~ of any present or prospective owner, occupant or user of such housing.

- (67) Print, publish or circulate any statement or advertisement relating to the sale, transfer, assignment, rental, lease, sublease or acquisition of any housing or the loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing which indicates any preference, limitation, specification or discrimination based upon **A PROTECTED CLASS** ~~race, color, religion, ancestry or national origin~~.
- (78) Make any inquiry, elicit any information, make or keep any record or use any form of application containing questions or entries concerning race, color, religion, ancestry or national origin in connection with the sale or lease of any housing or the loan of any money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing.
- (89) Include in any transfer, rental or lease of housing any restrictive covenant **CONCERNING A PROTECTED CLASS** or honor or exercise or attempt to honor or exercise, any such restrictive covenant, provided that the prior inclusion of a restrictive covenant in the chain of title shall not be deemed a violation of this provision.
- (910) ~~Induce or solicit or attempt to induce or solicit a housing listing, sale or transaction by representing that a change has occurred or may occur with respect to the racial, religious or ethnic composition of the block, neighborhood or area in which the property is located or induce or solicit or attempt to induce or solicit such sale or listing by representing~~ **REPRESENT IN THE CONTEXT OF A HOUSING SALE** that the presence or anticipated presence of persons of any **PROTECTED CLASS** ~~race, color, religion, ancestry or national origin~~, in the area will or may have results such as the following:
- (a) The lowering of property values.
 - (b) A change in the racial, religious or ethnic composition of the block, neighborhood or area in which the property is located.
 - (c) An increase in criminal or antisocial behavior in the area.
 - (d) A decline in the quality of the schools serving the area.
- (4011) Deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization or facility relating to the business of selling or renting housing accommodations or to discriminate against **THEM** ~~him~~ in the terms or conditions of such access, membership or participation, on account of **A PROTECTED CLASS** ~~race, color, religion, national origin or ancestry~~.
- (4412) Coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of any right granted or protected in C.O. § 525.02(H).
- (4213) Whether or not acting under color of law, by force or threat of force willfully injure, intimidate, or interfere with, or attempt to injure, intimidate or interfere with **ANY OF THE FOLLOWING BASED ON A PROTECTED CLASS**:
- (a) ~~Any person because of his race, color, religion, national origin or ancestry and because he is or has been~~ **Selling, purchasing, renting, financing, occupying or contracting or negotiating for the sale, purchase, rental, financing or occupation of any dwelling or applying for or participating in any service, organization or facility relating to the business of selling or renting housing accommodations.**
 - (b) ~~Any person because he is or has been or in order to intimidate such person or any other person or any class of persons from:~~

- (1) Participating, without discrimination on account of race, color, religion, national origin or ancestry, in any of the activities, services, organizations or facilities described in C.O. § 525.02(H)(1)(a).
- (2) Affording another person or class of persons opportunity or protection so to participate.
- (c) Any person because he is or has been, or in order to discourage such person or any other person from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion, national origin or ancestry, **PARTICIPATING** in any of the activities, services, organizations or facilities described in C.O. § 525.02(H)(1)(a), or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate.
- (14) Refuse to sell, transfer, assign, rent, lease, sublease, finance, or otherwise deny or withhold a burial lot from any person **BASED ON THE PROTECTED CLASS** because of the race, color, religion, ancestry or national origin of any prospective owner or user of such lot.
- (I) For any person to discriminate in any manner against any other person because **THEY** he has opposed any unlawful practice defined in this section, or because he has **THEY** made a charge, testified, assisted, or participated in any manner in any investigation, proceeding, or hearing under Ohio Revised Code §§ 4112.01 to 4112.07, inclusive, or under this chapter.
- (J) For any person to aid, abet, incite, compel or coerce the doing of any act declared by this section to be an unlawful discriminatory practice or to obstruct or prevent any person from complying with ORC §§ 4112.01 to 4112.11, inclusive, or the provisions of this chapter; or any order issued thereunder, or to attempt directly or indirectly to commit any act declared by this section to be an unlawful discriminatory practice.

(K) COMPLAINT PROCEDURE:

(A) FILING OF THE COMPLAINT.

(1) AN AGGRIEVED INDIVIDUAL, COMPLAINANT, MAY FILE WITH THE UPPER ARLINGTON CLERK OF COUNCIL A WRITTEN COMPLAINT SWORN UNDER OATH WHICH ALLEGES FACTS AND CIRCUMSTANCES, INCLUDING THE LOCATION, DATE(S), AND TIME(S), OF AN UNLAWFUL DISCRIMINATORY ACT(S) OR PRACTICES, THAT SUCH ACTS DID OR ARE OCCURRING WITHIN THE CITY LIMITS, THAT THE DISCRIMINATION WAS DIRECTED AT THE COMPLAINANT, AND WHICH IDENTIFIES THE PERSON WHO COMMITTED OR CONTINUES TO COMMIT THE ALLEGED UNLAWFUL DISCRIMINATORY ACT(S) OR PRACTICES.

(2) CONCURRENT WITH THE FILING OF THE COMPLAINT, THE COMPLAINANT SHALL PROVIDE TO THE CLERK OF COUNCIL IN WRITING THE COMPLAINANT'S MAILING ADDRESS, TELEPHONE NUMBER, IF ANY, AND EMAIL ADDRESS, IF ANY.

(3) THE COMPLAINT SHALL NOT BE ACCEPTED BY THE CLERK OF COUNCIL IF ANY OF THE FOLLOWING APPLY:

A. THE COMPLAINT IS PRESENTED TO THE CLERK OF COUNCIL MORE THAN 180 DAYS FOLLOWING THE MOST RECENT UNLAWFUL DISCRIMINATORY ACT ALLEGED IN THE COMPLAINT;

B. NO INCIDENT LOCATION PROVIDED IN THE COMPLAINT IS WITHIN THE CITY OF UPPER ARLINGTON;

C. THE COMPLAINT FAILS TO INCLUDE ALL THE INFORMATION REQUIRED BY DIVISION (A)(1) OF THIS SECTION;

D. THE COMPLAINANT FAILS TO CONCURRENTLY PROVIDE A WRITING THAT INCLUDES THE INFORMATION REQUIRED IN DIVISION (A)(2) OF THIS SECTION.

(4) WITHIN SIXTY DAYS FOLLOWING THE RECEIPT OF THE COMPLAINT, THE CITY SHALL:

A. ISSUE A NOTICE OF COMPLAINT BY CERTIFIED MAIL OR ANOTHER FORM OF MAIL THAT EVIDENCES RECEIPT. THE NOTICE OF COMPLAINT SHALL INCLUDE AN OFFER OF MEDIATION. IF THE RESPONDENT AGREES TO MEDIATION, THE CITY SHALL PROVIDE AN INDEPENDENT MEDIATOR TO WORK WITH THE PARTIES TO RESOLVE THE MATTER.

B. IF THE RESPONDENT DECLINES TO PARTICIPATE IN MEDIATION, FAILS TO RESPOND WITHIN THE ALLOTTED TIME FOR A RESPONSE, OR THE MEDIATION IS UNSUCCESSFUL, THE CITY SHALL APPOINT AN INDEPENDENT HEARING OFFICER TO HEAR THE CASE.

(B) HEARING OFFICER, FINAL DECISION, REMEDIES, AND APPEAL.

(1) IF A HEARING OFFICER IS APPOINTED, THE HEARING OFFICER SHALL HAVE THE AUTHORITY TO:

A. CONDUCT AN ADMINISTRATIVE HEARING;

B. PROVIDE TO ALL THE PARTIES, WITNESSES, AND THE LAW DIRECTOR TIMELY NOTICE OF THE HEARING DATE, TIME, AND LOCATION;

C. SET, CHANGE AS NECESSARY, AND TIMELY COMMUNICATE TO THE PARTIES SUCH REASONABLE PROCEDURAL RULES AS THE HEARING OFFICER SHALL DEEM APPROPRIATE;

D. ISSUE SUBPOENAS AND DIRECT THE EXCHANGE OF DISCOVERY.

(2) AT THE CONCLUSION OF THE ADMINISTRATIVE HEARING THE HEARING OFFICER SHALL ISSUE TO THE PARTIES AND THE CITY A FINAL WRITTEN DECISION TO INCLUDE FINDINGS OF FACT AND CONCLUSIONS OF LAW:

A. IF THE HEARING OFFICER FINDS THE RESPONDENT DID ENGAGE IN, OR CONTINUES TO ENGAGE IN, AN UNLAWFUL DISCRIMINATORY ACT OR PRACTICE UNDER THIS CHAPTER, AND THE HEARING OFFICER, IN THE HEARING OFFICER'S SOLE DISCRETION, DEEMS IT APPROPRIATE, THE HEARING OFFICER'S FINAL WRITTEN DECISION MAY INCLUDE THE ISSUANCE TO THE RESPONDENT OF ORDERS TO CEASE AND DESIST, AN AWARD OF ACTUAL DAMAGES AND THE IMPOSITION UPON THE RESPONDENT OF SUCH OTHER SANCTIONS AS ARE PROVIDED IN THIS CHAPTER; OR

B. IF THE HEARING OFFICER, IN THE HEARING OFFICER'S SOLE DISCRETION, DEEMS IT APPROPRIATE, THE HEARING OFFICER'S FINAL WRITTEN DECISION MAY INCLUDE THE ISSUANCE OF A NOTICE OF DISMISSAL.

(3) IF THE FINAL DECISION OF THE HEARING OFFICER INCLUDES THE ISSUANCE TO THE RESPONDENT OF ORDERS TO CEASE AND DESIST THE UNLAWFUL DISCRIMINATORY ACTS OR PRACTICES OR THE AWARD OF DAMAGES SUCH ORDERS SHALL SPECIFY A TIME PERIOD FOR THE RESPONDENT'S COMPLIANCE.

(4) THE FINAL DECISION OF THE HEARING OFFICER MAY INCLUDE THE IMPOSITION UPON THE RESPONDENT OF REASONABLE COSTS OF THE HEARING PROCESS. ATTORNEY FEES AND THE COST OF MEDIATION SHALL NOT BE ASSESSED AGAINST THE RESPONDENT.

(5) THE FINAL DECISION OF THE HEARING OFFICER MAY INCLUDE THE IMPOSITION UPON THE RESPONDENT OF A CIVIL PENALTY PAYABLE TO THE CITY AS FOLLOWS:

A. IF DIVISION (B)(5)B. OR (B)(5)C. OF THIS SECTION DOES NOT APPLY, A CIVIL PENALTY IN AN AMOUNT NOT TO EXCEED ONE THOUSAND DOLLARS (\$1,000);

B. IF DIVISION (B)(5)C. OF THIS SECTION DOES NOT APPLY AND IF THE RESPONDENT HAS BEEN FOUND BY THE HEARING OFFICER TO HAVE COMMITTED ONE VIOLATION OF THIS CHAPTER DURING THE FIVE-YEAR PERIOD IMMEDIATELY PRECEDING THE DATE ON WHICH A COMPLAINT WAS FILED WITH THE CLERK OF COUNCIL, A CIVIL PENALTY IN AN AMOUNT NOT TO EXCEED TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500);

C. IF THE RESPONDENT HAS BEEN FOUND BY THE HEARING OFFICER TO HAVE COMMITTED TWO OR MORE VIOLATIONS OF THIS CHAPTER DURING THE FIVE-YEAR PERIOD IMMEDIATELY PRECEDING THE DATE ON WHICH A COMPLAINT WAS FILED WITH THE CLERK OF COUNCIL, A CIVIL PENALTY IN AN AMOUNT NOT TO EXCEED FIVE THOUSAND DOLLARS (\$5,000).

(6) THE FINAL DECISION OF THE HEARING OFFICER MAY NOT INCLUDE ANY ORDERS FOR REINSTATEMENT OF EMPLOYMENT.

(7) THE FINAL DECISION OF THE HEARING OFFICER MAY BE APPEALED PURSUANT TO THE PROVISIONS OF R.C. CHAPTER 2506.

SECTION 3. The following sections (525.05 and 525.06) shall be added to the Code of Ordinances:

525.05 FAILURE TO COMPLY WITH AN ORDER OF THE HEARING OFFICER.
NO PERSON SHALL FAIL TO COMPLY WITH ANY PORTION OF AN ORDER ISSUED BY THE HEARING OFFICER WITHIN THIRTY DAYS FOLLOWING SERVICE OF THE ORDER OR SUCH PERIOD OF TIME AS THE ORDER PROVIDES, WHICHEVER IS GREATER. WHOEVER VIOLATES THIS SECTION IS GUILTY OF FAILURE TO COMPLY WITH AN ORDER OF THE HEARING OFFICER, A MISDEMEANOR OF THE FIRST DEGREE.

525.06 FAILURE TO PAY FINANCIAL SANCTIONS IMPOSED BY THE HEARING OFFICER.
IF A CIVIL PENALTY OR COSTS OR BOTH ARE IMPOSED BY THE HEARING OFFICER ON THE RESPONDENT, AND ANY PORTION THEREOF REMAINS UNPAID THIRTY DAYS FOLLOWING SERVICE OF THE ORDER OR FOLLOWING THE EXPIRATION OF THE TIME PERIOD DESIGNATED BY THE HEARING OFFICER, THE CITY MAY INSTITUTE CIVIL ENFORCEMENT PROCEEDINGS AGAINST THE RESPONDENT.

SECTION 4. Section 525.05 of the Upper Arlington Code of Ordinances shall be amended as follows and renumbered:

§ 525.057 - PENALTIES.

THIS ORDINANCE DOES NOT PROHIBIT ANY OTHER REMEDIES AVAILABLE UNDER LAW, INCLUDING ACCESS TO A COURT OF COMPETENT JURISDICTION. ANY PERSON WHO HAS BEEN DISCRIMINATED AGAINST UNDER THIS CHAPTER MAY INITIATE AN ACTION IN SUCH COURT TO ENFORCE THIS SECTION AND OBTAIN BOTH INJUNCTIVE RELIEF AND DAMAGES.

The remedies for violations of this chapter shall be civil in nature as provided for in ORC ch. 4112.