

## TITLE 4

BUILDING, UTILITY, AND HOUSING CODES<sup>1</sup>

## CHAPTER

1. BUILDING CODE.
2. DELETED.
3. HOUSING CODE.
4. FAIR HOUSING CODE.
5. NUMBERING OF BUILDINGS.
6. FAIR HOUSING ORDINANCE.

## CHAPTER 1

BUILDING CODE<sup>2</sup>

## SECTION

- 4-101. International Building Code (IBC) adopted.
- 4-102. Modifications.
- 4-103. Available at town hall.
- 4-104. Violations and penalty.
- 4-105. Permit fees.
- 4-106. Plumbing code.

4-101. International Building Code adopted. Pursuant to authority granted by §§ 6-54-401 through 6-54-404 of the Tennessee Code Annotated, and for the purpose of regulating the construction, alteration, repair, use and occupancy, location, maintenance, removal, and demolition of every building or structure or appurtenance connected or attached to any building or structure, the International Building Code<sup>3</sup> - 2012 edition with revisions along with any

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<sup>1</sup>For related provisions in this code see title 7, "Fire Protection, Fireworks, and Explosives"; title 8, "Health and Sanitation"; title 11, "Planning and Zoning"; title 12, "Streets and Other Public Ways and Places"; and title 13, "Utilities and Services."

<sup>2</sup>The Town of Jonesborough elects exemption from applicability of state wide building construction safety standards in one- and two-family dwellings within its jurisdiction pursuant to Ord. #2017-06, Dec. 2017.

<sup>3</sup>Copies of this code may be obtained from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213. See § 4-103 regarding copies of building code kept in town hall.

modifications is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the building code.

(2) The 2012 International Residential Code (IRC) is hereby adopted with any modifications.

(3) The 2012 International Fuel Gas Code (IFGC) is hereby adopted with any modifications.

Authority having jurisdiction to oversee fuel gas inspections is Atmos Energy Corporation.

(4) The 2012 International Mechanical Code (IMC) is hereby adopted with any modifications.

(5) The 2012 International Existing Building Code is hereby adopted.

(6) The 2012 Energy Conservation Code is hereby adopted with any modifications.

(7) The 2010 ADA Standards For Accessible Design are hereby adopted.

(8) The 2012 International Fire Code (IFC) is hereby adopted with any modifications.

(9) Provisions related to the electrical code will be governed and enforced by the State of Tennessee. (Ord. of Oct. 9, 1979, as amended by Ord. #94-12, Oct. 1994, and replaced by Ord. #97-21, Oct. 1997, Ord. #2009-13, Nov. 2009, Ord. #2013-02, March 2013, and Ord. #2016-9, Aug. 2016 ***Ch12\_04-09-18***)

4-102. Modifications. (1) The following exceptions shall be adopted in reference to these codes: Whenever the building code refers to the "chief appointing authority" or the "chief administrator", it shall be deemed to be a reference to the Jonesborough Board of Mayor and Aldermen. When the "building official" is named, it shall, for the purposes of the building code mean the town's building inspector or such person(s) as the board of mayor and aldermen shall have appointed or designated to administer and enforce the provisions of the building code.

(2) Section R313.1 of the International Residential Code is modified by adding the following exception: An automatic residential fire sprinkler system shall not be required in one (1) and two (2) family dwellings, or in townhomes that have a two (2) hour fire resistance rated wall in between units, if such walls do not contain plumbing and/or mechanical equipment, ducts or vents in the common wall. In addition, delete Automatic Sprinkler Systems in one and two family dwellings in R313.2. (Ord. of Oct. 9, 1979, as amended by Ord. #91-07, Nov. 1991; replaced by Ord. #97-11, June 1997; amended by Ord. #2000-07, June 2000, and Ord. #2007-07, July 2007, replaced by Ord. #2009-13, Nov. 2009, and Ord. #2013-02, March 2013, and amended by Ord. #2016-9, Aug. 2016 ***Ch12\_04-09-18***, and Ord. #2018-03, March 2018 ***Ch12\_04-09-18***)

4-103. Available at town hall. Pursuant to requirements of the Tennessee Code Annotated, one (1) copy of the International Building Code - 2012 edition and the other associated codes hereby adopted in this ordinance are to be placed in the administration office at town hall and shall be kept there for the use and inspection of the public. (Ord. of Oct. 9, 1979, as replaced by Ord. #97-21, Oct. 1997, Ord. #2009-13, Nov. 2009, Ord. #2013-02, March 2013, and Ord. #2016-9, Aug. 2016 **Ch12\_04-09-18**)

4-104. Violations and penalty. It shall be unlawful for any person to violate or fail to comply with any provision of the building code or associated codes herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty of up to fifty dollars (\$50.00) for each offense. Each day a violation is allowed to continue shall constitute a separate offense.<sup>1</sup> (Ord. of Oct. 9, 1979, as replaced by Ord. #97-21, Oct. 1997, and Ord. #2009-13, Nov. 2009, amended by Ord. #2010-02, April 2010, and replaced by Ord. #2013-02, March 2013, and Ord. #2016-9, Aug. 2016 **Ch12\_04-09-18**)

4-105. Permit fees. The schedule of permit fees shall be the fees established in the building and associated codes herein adopted, as follows:

#### SCHEDULE OF PERMIT FEES

##### BUILDING PERMIT FEES

<u>Total Valuation</u>	<u>Fee</u>
\$1,000 and less	No fee, unless inspection required, in which case a \$15.00 fee for each inspection shall be charged.
\$1,000 to \$50,000	\$15.00 for the first \$1,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00.
\$50,000 to \$100,000	\$260.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.00.

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<sup>1</sup>State law reference

Tennessee Code Annotated, § 6-54-308.

\$100,000 to \$500,000	\$460.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.00.
\$500,000 and up	\$1,660.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof.

### MOVING FEE

For the moving of any building or structure, the fee shall be \$100.00.

### DEMOLITION FEE

For the demolition of any building or structures, the fee shall be \$100.00.

### MECHANICAL PERMIT

\$11.00	For issuing permit
\$11.00	For base mechanical (1st – \$1,000.00)
\$ 2.20	(2nd and each additional \$1,000.00)
\$11.00	For fire sprinkler (1st – \$1,000.00)
\$ 2.20	(2nd and each additional \$1,000.00)
\$11.00	For fire suppression system (1st – \$1,000.00)
\$ 2.20	(2nd and each additional \$1,000.00)

### PENALTIES

Where work for which a permit is required by this code is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein. (as added by Ord. #2009-13, Nov. 2009, as replaced by Ord. #2016-09, Aug. 2016 ***Ch12\_04-09-18***)

4-106. Plumbing code. (1) The 2012 International Plumbing Code (IPC) is hereby adopted with any modifications.

(2) Modifications. Wherever the plumbing code refers to the "chief appointing authority," the "administrative authority" or the "governing authority," it shall be deemed to be a reference to the board of mayor and

aldermen. Wherever "city engineer," engineering department, plumbing official or "inspector" is named or referred to, it shall mean the building inspector or person(s) appointed or designated by the board of mayor and aldermen to administer and enforce the provisions of the plumbing code.

(3) Available at town hall. Pursuant to requirements of the Tennessee Code Annotated, one (1) copy of the International Plumbing Code - 2012 edition and the other associated codes hereby adopted in this ordinance will be placed in the administration office at town hall and shall be kept there for the use and inspection of the public.

(4) Violations and penalty. It shall be unlawful for any person to violate or fail to comply with any provision of the plumbing code or associated codes herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty of up to fifty dollars (\$50.00) for each offense. Each day a violation is allowed to continue shall constitute a separate offense.

(5) Permit fees. The schedule of permit fees shall be the fees established in the plumbing and associated codes herein adopted.

#### PLUMBING PERMIT FEES

\$11.00	For issuing permit
\$2.75	For each plumbing fixture or trap of fixtures on one trap (including water and drainage piping)
\$5.50	For each house sewer
\$5.50	For each house sewer having to be replaced or repaired
\$2.75	For each water heater and/or vent
\$5.50	For installation of water piping and/or water treating equipment
\$5.50	For alteration or repair of water pipe and/or water treatment equipment
\$5.50	For repair or alteration of drainage or vent piping
\$2.75	For vacuum breakers or backflow protective devices installed subsequent to the installation of piping or equipment served

## PENALTIES

Where work for which a permit is required by this code is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein. [as added by Ord. #2016-09, Aug. 2016 *Ch12\_04-09-18*]

CHAPTER 2

(this chapter was deleted by Ord. #2016-09, Aug. 2016 *Ch12\_04-09-18*)

## CHAPTER 3

HOUSING CODE

## SECTION

- 4-301. Housing code adopted.
- 4-302. Modifications.
- 4-303. Available in recorder's office.
- 4-304. Violations.

4-301. Housing code adopted. Pursuant to authority granted by sections 6-54-501 through 6-54-506 of the Tennessee Code Annotated and for the purpose of securing the public safety, health, and general welfare through structural strength, stability, sanitation, adequate light, and ventilation in dwellings, apartment houses, rooming houses, and buildings, structures, or premises used as such, the Standard Housing Code,<sup>1</sup> 1991 edition, as prepared and adopted by the Southern Building Code Congress International, Inc., is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the housing code. [Ord. of Oct. 9, 1979, § 4-301, modified, as amended by Ord. #94-12, Oct. 1994]

4-302. Modifications. Wherever the housing code refers to the "Building Official," it shall mean the person appointed or designated by the Board of Mayor and Aldermen to administer and enforce the provisions of the housing code. Wherever the "Department of Law" is referred to, it shall mean the town attorney. Wherever the "Chief Appointing Authority" is referred to, it shall mean the Board of Mayor and Aldermen. Section 108 of the housing code is deleted. [Ord. of Oct. 9, 1979, § 4-302, modified]

4-303. Available in recorder's office. Pursuant to the requirements of section 6-54-502 of the Tennessee Code Annotated, three (3) copies of the housing code have been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. [Code of 1982]

4-304. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the housing code as herein adopted by reference and modified. [Ord. of Oct. 9, 1979, § 4-303]

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<sup>1</sup>Copies of this code may be obtained from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213.



## CHAPTER 4

FAIR HOUSING CODE<sup>1</sup>

## SECTION

4-401. Definitions.

4-402. Purpose.

4-403. Unlawful housing practices.

4-404. Exemptions from housing provisions.

4-405. Denial of access to multiple-listing services, etc.

4-406. Establishment of procedures for dissemination, conciliation, and enforcement.

4-407. Penalties.

4-408. Exhaustion of remedies.

4-401. Definitions. Except where the context clearly indicates otherwise, the following terms as used in this chapter have the following meanings.

(1) Discrimination means any direct or indirect act or practice of exclusion, distinction, restriction, segregation, limitation, refusal, denial, or any other act or practice of differentiation or preference in the treatment of a person or persons because of race, color, religion, national origin, or sex, or the aiding, abetting, inciting, coercing, or compelling thereof.

(2) Real property includes buildings, structures, real estate, lands, tenements, leaseholds, cooperatives, condominiums, or any interest in the above.

(3) Conciliation agreement means a written agreement or statement setting forth the terms of the agreement mutually signed and subscribed to by both complainant(s) and respondent(s) and witnessed by a duly authorized enforcing agent.

(4) Individual or person includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, and fiduciaries.

(5) To rent includes to lease, sublease, to let, and otherwise to grant for a consideration the right to occupy premises not owned by the occupant. [Ord. of June 13, 1978, § 1]

4-402. Purposes. The general purposes of this chapter are:

(1) To provide for execution within the Town of Jonesborough of the policies embodied in Title VIII of the Federal Civil Rights Act of 1968 as amended.

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<sup>1</sup>See chapter 6 of this title for the "Fair Housing Ordinance."

(2) To safeguard all individuals within the town from discrimination in housing opportunities because of race, color, religion, national origin, or sex; thereby to protect their interest in personal dignity and freedom from humiliation; and to further the interests, rights, and privileges of individuals within the town.

Nothing contained in the chapter shall be deemed to repeal any other law of this town relating to discrimination because of race, color, religion, national origin, or sex. [Ord. of June 13, 1978, § 2]

4-403. Unlawful housing practices. It is an unlawful practice for a real estate owner or operator, or for a real estate broker, real estate salesman, or any individual employed by or acting on behalf of these:

(1) To refuse, after making a bona fide offer, to sell, exchange, rent, or lease or otherwise deny to or withhold real property from an individual because of his or her race, color, religion, national origin, or sex;

(2) To discriminate against an individual in the terms, conditions, or privileges of a sale, exchange, rental, or lease of real property or in the furnishings of facilities or services in connection therewith, because of race, color, religion, national origin, or sex;

(3) To refuse to receive or transmit a bona fide offer to purchase, rent, or lease real property from an individual because of his or her race, color, religion, national origin, or sex;

(4) To refuse to negotiate for the sale, rental, or lease of real property, to refuse to receive or transmit a bona fide offer to purchase, rent, or lease real property, to represent to an individual that real property is not available for inspection, sale, rental, or lease when it is so available, or to refuse to permit an individual to inspect real property, because of his or her race, color, religion, national origin, or sex.

(5) To make, print, or publish or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale, rental, or lease of real property that directly or indirectly indicates a limitation, specification, or discrimination, as to race, color, religion, national origin, or sex;

(6) To represent that a change has occurred, will, or may occur in the composition with respect to race, color, religion, national origin, or sex of owners or occupants in the block, neighborhood, or areas in which the real property is located, for the purpose of obtaining financial benefits; or to represent that this change will or may result in the lowering of property values, an increase in criminal or antisocial behavior, or a decline in the quality of schools in the block, neighborhood, or area in which the real property is located, for the purpose of benefiting financially. [Ord. of June 13, 1978, § 3]

4-404. Exemptions from housing provisions. (1) Nothing in section 4-403 shall apply:

(a) To the rental of housing accommodations for no more than four families living independently of each other, if the owner or member of his family resides in one of the housing accommodations;

(b) To the rental of one room or one rooming unit in a housing accommodation by an individual if he or a member of his family resides therein;

(c) To a landlord who refuses to rent to an unmarried male - female couple.

(2) Nothing in section 4-403 should apply to a religious organization, association, or society, or any nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental, or occupancy of a dwelling which it owns or operates for other than a commercial purpose, to persons of the same religion; or from giving preference to such persons, unless membership in such a religion is restricted on account of race, color, national origin, or sex. [Ord. of June 13, 1978, § 4]

4-405. Denial of access to multiple-listing services, etc. It shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate broker's organization, or other service, organization, or facility relating to the business of selling or renting dwellings; or to discriminate against him in the terms and conditions of such access, membership, or participation on account of race, color, religion, national origin, or sex. [Ord. of June 13, 1978, § 5]

4-406. Establishment of procedures for dissemination, conciliation, and enforcement. (1) The Town of Jonesborough shall designate a Citizens' Fair Housing Sub-Committee of the Community Development Citizen Advisory Committee and said sub-committee is authorized and directed to undertake such educational and conciliatory activities as in its judgment will further the purposes of this chapter. It may call a conference of persons in the housing industry and other interested parties to acquaint them with the provisions hereof.

(2) The sub-committee will investigate, make determinations of probable cause, and seek to conciliate apparent violations of this chapter. Conciliation may be initiated by any person(s) said to be subject to discrimination as defined in this chapter.

(3) Any person who claims to have been injured by an act made unlawful by this chapter, or who claims that he will be injured by such an act, may file a complaint with the chairman of said sub-committee. A complaint shall be filed within 180 days after the alleged unlawful act has occurred. Complaints shall be in writing and shall contain such information and be in such form as required by the Fair Housing Sub-Committee. Upon receipt of a complaint, the sub-committee shall promptly investigate it and shall complete

its investigations within fifteen (15) days. If a majority of the Citizens' Fair Housing Sub-Committee finds reasonable cause to believe that a violation of this chapter has occurred, the sub-committee may take any reasonable action deemed necessary to reach a conciliation agreement between the parties in contest. If conciliation cannot be reached, or if a person charged with violation of this chapter refuses to furnish information to said sub-committee, the sub-committee may request the town attorney to prosecute an action in the town court against the person charged in the complaint. Such request shall be in writing.

(4) Upon receiving such written request and with the assistance of the aggrieved person and said sub-committee, within fifteen (15) days after receiving such request, the town attorney shall be prepared to prosecute an action in the town court, provided a warrant is sworn out by the aggrieved person, and served upon the person or persons charged with the offense.

(5) The provisions for conciliation shall not preclude or in any way impair the enforcement.

(6) If the community development advisory committee becomes inactive, the fair housing committee shall continue obligations set forth in the fair housing ordinance with vacancies filled by appointment of the mayor and approval of the board. [Ord. of June 13, 1978, § 6, modified]

4-407. Penalties. Any person violating any provision of this chapter shall be guilty of a misdemeanor. [Ord. of June 13, 1978, § 7, modified]

4-408. Exhaustion of remedies. Nothing in this chapter requires any person claiming to have been injured by an act made unlawful by this chapter to exhaust the remedies provided herein; nor prevent any such person from seeking relief at any time under the Federal Civil Rights Acts or other applicable legal provisions. [Ord. of June 13, 1978, § 8]

## CHAPTER 5

NUMBERING OF BUILDINGS

## SECTION

- 4-501. Numbering of buildings required.
- 4-502. General responsibility.
- 4-503. Proper size, generally.
- 4-504. Placement of numbers.
- 4-505. Display of designated numbers only.
- 4-506. Display before final approval.
- 4-507. Enforcement/penalties.

4-501. Numbering of buildings required. All primary buildings in the city limits of Jonesborough, including but not limited to the following: residences, apartments, business offices, individual shops in shopping center developments and other units requiring a 9-1-1 number shall be given a number that must be displayed as required in section 4-504. [as added by Ord. #93-06, June 1993]

4-502. General responsibility. It shall be the responsibility of the building inspector or his/her designee with assistance of the local planning office to determine the correct numbering of all properties within the city limits and see that these numbers are properly communicated to the homeowner, post office, and 9-1-1. [as added by Ord. #93-06, June 1993]

4-503. Proper size, generally. House numbers shall be a minimum of 4 inches in height, however, property owners within the historic district may petition the building inspector for a waiver of size requirements if existing structure limitations necessitate. [as added by Ord. #93-06, June 1993]

4-504. Placement of numbers. Property address numbers shall be placed conspicuously above, on, or at the side of the street entrance door of each building, or each unit of the building that has an outside entrance, so that the number can be plainly seen from the street. Should the distance from the street line to the door inhibit discernment of numbers placed on the building, then the numbers should be placed upon a gatepost, mailbox, fence, post or other appropriate place easily seen from the street line. [as added by Ord. #93-06, June 1993]

4-505. Display of designated numbers only. Property owners shall only display building numbers designated by the building inspector or his/her designee. [as added by Ord. #93-06, June 1993]

4-506. Display before final approval. No final approval of the remodeling or construction of buildings shall be granted by the building inspector until conspicuous building numbers have been placed. [as added by Ord. #93-06, June 1993]

4-507. Enforcement/penalty. The building inspector or the chief of police shall be the enforcing officer for regulations established in this chapter. Violators of any provision of the chapter will be guilty of a misdemeanor and subject to fines not to exceed fifty dollars (\$50.00) per offense with each day of violation being a separate offense. [as added by Ord. #93-06, June 1993]

## CHAPTER 6

FAIR HOUSING ORDINANCE

## SECTION

- 4-601. Policy.
- 4-602. Definitions.
- 4-603. Unlawful practice.
- 4-604. Discrimination in the sale or rental of housing.
- 4-605. Discrimination in the financing of housing.
- 4-606. Discrimination in the provisions of brokerage services.
- 4-607. Exemption.
- 4-608. Administration.
- 4-609. Education and conciliation.
- 4-610. Enforcement.
- 4-611. Investigations; subpoenas; giving of evidence.
- 4-612. Enforcement by private person.

4-601. Policy. It is the policy of the Town of Jonesborough to provide, within constitutional limitations, for fair housing throughout the community. [Ord. #92-03, § 1, Jan. 1992]

4-602. Definitions. (1) "Dwelling" means any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.

(2) "Family" includes a single individual.

(3) "Person" includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, and judiciaries.

(4) "To rent" includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises owned by the occupant.

(5) "Discriminatory housing practice" means an act that is unlawful under section 4-604, 4-605, or 4-606. [Ord. #92-03, § 2, Jan. 1992]

4-603. Unlawful practice. Subject to the provisions of subsection 4-603(2) and section 4-607, the prohibitions against discrimination in the sale or rental of housing set forth in section 4-604 shall apply to:

(1) All dwellings except as exempted by subsection (2).

(2) Nothing in section 4-604 shall apply to:

(a) Any single-family house sold or rented by an owner: Provided that such private individual owner does not own more than

three such single-family houses at any one time: Provided further that in the case of the sale of any such single-family house by a private individual owner not residing in such house at the time of such sale or who was not the most recent resident of such house prior the such sale, the exemption granted by this subsection shall apply only with respect to one such sale within any twenty-four month period: Provided further that such bona fide 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 such single-family houses at any one time: Provided further that the sale or rental of any such single-family house shall be excepted from the application of this title only if such house is sold or rented

(i) without the use in any manner of the sale or rental facilities or the sales or rental services of any real estate broker, agent, or salesman, or of such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent, salesman, or person and

(ii) without the publication, posting or mailing, after notice of any advertisement or written notice in violation of Section 4-604(3) of this chapter, but nothing in this proviso shall prohibit the use of assistance as necessary to perfect or transfer the title, or

(b) Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

(3) For the purposes of subsection (2), a person shall be deemed to be in the business of selling or renting dwellings if:

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

(b) he has, within the preceding twelve 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 or more transactions involving the sale or rental of any dwelling or any interest therein, or

(c) he is the owner of any dwelling designed or intended for occupancy by, or occupied by, five or more families. [Ord. #92-03, § 3, Jan. 1992]

4-604. Discrimination in the sale or rental of housing. As made applicable by section 4-603 and except as exempted by sections 4-603(2) and 4-607, it shall be unlawful:



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

(2) To discriminate against any person in 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, national origin, familial status or handicap.

(3) To 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, color, religion, sex, national origin, familial status or handicap, or any intention to make any such preference, limitation, or discrimination.

(4) To represent to any person because of race, color, religion, sex, national origin, familial status or handicap that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.

(5) 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 of a person or persons of a particular race, color, religion, sex, national origin, familial status or handicap. [Ord. #92-03, § 4, Jan. 1992]

4-605. Discrimination in the financing of housing. 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 or other financial assistance to a person applying therefore for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling, or to discriminate against him in the fixing of the amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance, because of the race, color, religion, sex, national origin, familial status or handicap of such person or of any person associated with him in connection with such loan or other financial assistance or the purposes of such loan or other financial assistance, or of the present or prospective owners, lessees, tenants, or occupants of the dwelling or dwellings in relation to which such loan or other financial assistance is to be made or given: Provided, that nothing contained in the section shall impair the scope or effectiveness of the exception contained in section 4-603(2). [Ord. #92-03, § 5, Jan. 1992]

4-606. Discrimination in the provision of brokerage services. It shall be unlawful to 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 dwellings, or to discriminate against him in the terms of conditions of such access,

membership, or participation, on account of race, color, religion, sex, national origin, familial status or handicap. [Ord. #92-03, § 6, Jan. 1992]

4-607. Exemption. Nothing in this chapter shall prohibit a religious organization, association, or society, or any non-profit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color, sex, national origin, familial status or handicap. Nor shall anything in this chapter prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members. [Ord. #92-03, § 7, Jan. 1992]

4-608. Administration. (1) The authority and responsibility for administering this act shall be in the Mayor of the Town of Jonesborough.

(2) The mayor may delegate any of these functions, duties, and powers to employees of the town or such board as may be created by the board of mayor and aldermen for such purposes including functions, duties, and powers with respect to investigating, conciliating, hearing, determining, ordering, certifying, reporting or otherwise acting as to any work, business, or matter under this chapter.

(3) All executive departments and agencies shall administer their programs and activities relating to housing and urban development in a manner affirmatively to further the purposes of this chapter and shall cooperate with the mayor to further such purposes. [Ord. #92-03, § 8, Jan. 1992]

4-609. Education and conciliation. Immediately after the enactment of this chapter, the mayor shall commence such educational and conciliatory activities as will further the purposes of this chapter. He/she shall call conferences of persons in the housing industry and other interested parties to acquaint them with the provisions of this chapter and his/her suggested means of implementing it, and shall endeavor with their advise to work out programs of voluntary compliance and of enforcement. [Ord. #92-03, § 9, Jan. 1992]

4-610. Enforcement. The mayor will investigate, make determinations of probable cause, and seek to conciliate apparent violations of this chapter. Conciliation may be initiated to any person(s) said to be subject to discrimination as defined in this chapter.

Any person who claims to have been injured by an act made unlawful by this chapter, or who claims that he will be injured by such an act, may file a complaint with the mayor. A complaint shall be filed within 180 days after the alleged unlawful act has occurred. Complaints shall be in writing and shall contain such information and be in such form as required by the mayor.

The mayor shall be responsible for the enforcement as set forth in Title 8 of the Civil Rights Act of 1968 as amended by the Fair Housing Amendment Act of 1989. [Ord. #92-03, § 10, Jan. 1992]

4-611. Investigations; subpoenas; giving of evidence. (1) In conducting the investigation, the mayor shall have access at all reasonable times to premises, records, documents, individuals, and other evidence or possible sources of evidence and may examine, record, and copy such materials and take and record the testimony or statements or such persons as are reasonably necessary for the furtherance of an investigation as provided for and under the guidelines and restrictions set forth in Title 8 of the Civil Rights Act of 1968 as amended by the Fair Housing Amendment Act of 1989.

(2) The town attorney shall conduct all litigation in which the mayor participates as a party or as amicus pursuant to this chapter. [Ord. #92-03, § 11, Jan. 1992]

4-612. Enforcement by private person. Nothing in this chapter requires any person claiming to have been injured by an act made unlawful by the chapter to exhaust the remedies provided herein; nor prevent any such person from commencing a civil action or seeking relief under the provisions and protection set forth in Title 8 of the Civil Rights Act of 1968 as amended by the Fair Housing Amendment Act of 1989. [Ord. #92-03, § 12, Jan. 1992]