

TITLE 20

MISCELLANEOUS

CHAPTER

1. FAIR HOUSING CODE.
2. CIVIL EMERGENCIES.
3. INDUSTRIAL PARK PROPERTY.
4. NONRESIDENT PROPERTY OWNERS.

CHAPTER 1

FAIR HOUSING CODE

SECTION

- 20-101. Definitions.
- 20-102. Unlawful discriminatory acts.
- 20-103. Limited exemption for religious organizations.
- 20-104. Access to multiple listing services, etc.
- 20-105. Educational and conciliatory activities.
- 20-106. Complaints.
- 20-107. Penalty.
- 20-108. Exhaustion of remedies.

20-101. Definitions. Whenever used in this chapter, the following words and terms shall have the following meanings unless the context necessarily requires otherwise:

(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 of any such building.

(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 fiduciaries.

(4) "To rent" includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises not owned by the occupant. (1988 Code, § 4-1101)

20-102. Unlawful discriminatory acts. Subject to the exceptions hereinafter set out, it shall be unlawful for any person to do any of the following acts:

(1) To refuse to sell or rent after the making of a bona fide offer to do so 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, national origin, or sex.

(2) 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 herewith, because of race, color, religion, national origin, or sex.

(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, national origin, or sex.

(4) To represent to any person because of race, color, religion, national origin, or sex, 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, national origin, or sex. (1988 Code, § 4-1102)

20-103. Limited exemption for religious organizations. Nothing in this chapter shall prohibit 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 dwelling which it owns or operates for other than commercial purposes to persons of the same religion, or from giving preference to such persons, unless membership in the religion is restricted on account of race, color, national origin, or sex. (1988 Code, § 4-1103)

20-104. 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 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 or conditions of such access, membership, or participation on account of race, color, religion, national origin, or sex. (1988 Code, § 4-1104)

20-105. Educational and conciliatory activities. The human relations sub-committee of the citizens advisory committee of Dayton is authorized and directed to undertake such educational and conciliatory activities as in its judgement will further the purposes of this chapter. It may call conferences of persons in the housing industry and other interested parties to acquaint them with the provisions this chapter and the committee's suggested means of implementing it. The sub-committee shall further endeavor, with the

advice of the housing industry and other interested parties, to work out programs of voluntary compliance and may advise appropriate city officials on matters of enforcement. The sub-committee may issue reports on such conferences and consultations as it deems appropriate. (1988 Code, § 4-1105)

20-106. Complaints. 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 occurred. Complaints shall be in writing and shall contain such information and be in such form as required by the human relations sub-committee. Upon receipt of a complaint the sub-committee shall promptly investigate it and shall complete its investigation within thirty (30) days. If a majority of the human relations sub-committee finds reasonable cause to believe that a violation of this chapter has occurred, or if a person charged with violation of this chapter refuses to furnish information to the sub-committee, the sub-committee may request the city attorney to prosecute an action in the city court against the person charged in the complaint. This request shall be in writing.

Upon receiving the written request and with the assistance of the aggrieved person and the sub-committee, within fifteen (15) days after receiving the request, the city attorney shall be prepared to prosecute an action in the city court, provided a warrant is sworn out by the aggrieved person and served upon the person or persons charged with the offense. (1988 Code, § 4-1106)

20-107. Penalty. Any person violating any provision of this chapter shall be guilty of a misdemeanor and upon conviction shall be fined in accordance with the general penalty clause for this code of ordinances. Each day the violation continues shall constitute a separate offense. (1988 Code, § 4-1107)

20-108. 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 prevents any such person from seeking relief at any time under the federal civil rights acts or other applicable legal provisions. (1988 Code, § 4-1108)

CHAPTER 2

CIVIL EMERGENCIES

SECTION

20-201. City manager, mayor, and vice-mayor to have certain powers during civil emergencies.

20-201. City manager, mayor, and vice-mayor to have certain powers during civil emergencies. For the purposes of, Tennessee Code Annotated, title 38, chapter 9, the chief administrative officer of the city shall be the city manager or, in his absence or disability, the mayor. In the absence or disability of both the city manger and the mayor and vice-mayor is designated as the chief administrative officer. Any person violating the provisions of orders issued by the chief administrative officer pursuant to Tennessee Code Annotated, title 38, chapter 9, shall be guilty of a misdemeanor and shall be punished under the general penalty clause of this code of ordinances. (1988 Code, § 1-901)

CHAPTER 3

INDUSTRIAL PARK PROPERTY

SECTION

20-301. Sales restricted.

20-301. Sales restricted. The property hereinafter described shall not be granted, conveyed, or otherwise disposed of except by sale to an immediate industrial or commercial user.

The City of Dayton shall not grant, convey, or otherwise dispose of this property for an amount less than the acquisition cost or a pro rata share thereof in the event that less than the entire tract is sold.

This real estate is described as follows:

In the Third Civil District of Rhea County, Tenn., to-wit:

TRACT NO. 1:

BEGINNING on a stake in the North right-of-way line of Walnut Grove Road, corner with La-Z-Boy Chair Company property; thence with the La-Z-Boy Chair Company property lines, as follows: North 43° 24' East 1800 feet, South 46° 36' East 837 feet to a stake in CNO & TP Railroad Right-of-Way; thence with the Railroad-right-of-way North 42° 21' East 1307.8 feet to a stake, corner with Rockholt; thence with the lines of Rockholt, as follows: North 10° 22' West 378 feet, North 39° 16' West 56.2 feet, North 6° 5' East 106.2 feet, North 39° 34' West 1100 feet; thence with other lines of City of Dayton property in a Southwesterly direction to a stake in the North right-of-way line of Walnut Grove said stake being located North 46° 36' West 500 feet from the point of beginning, above described; thence with Walnut Grove Road South 46° 36' East 500 feet to the point of beginning.

Containing 70 acres, more or less.

TRACT NO. 2:

BEGINNING on a stake in the center of Little Richland Creek and in the North right-of-way line of Walnut Grove Road; thence with the center of Little Richland Creek, with the following calls, North 12° 20' East 430 feet, North 30° East 200 feet, North 17° 50' East 470 feet corner with Morgan; thence with the Morgan line North 43° 23' West 471 feet to a stake in the East right-of-way of CNO & TP Railroad; thence with said Railroad right-of-way South 26° 5' West 388 feet, South 23° 20' West 724.5 feet to a stake in the North right-of-way line of Walnut Grove Road; thence with Walnut Grove Road, South 44° 10' East 583 feet to the point of beginning.

The mayor and city recorder are authorized and directed to file with the Register's Office of Rhea County, Tennessee, a certified copy of this provision. (1988 Code, § 1-1001)

CHAPTER 4

NONRESIDENT PROPERTY OWNERS

SECTION

20-401. Absentee voting for voters registered as nonresident property owners.

20-401. Absentee voting for voters registered as nonresident property owners. Pursuant to Tennessee Code Annotated, § 2-6-205, in the case of individuals who are registered to vote in municipal elections as nonresident property owners all such voters are hereby required to cast his/her municipal ballots as absentee by mail ballots and shall not hereafter vote in the municipal election except by absentee ballot. (as added by Ord. #571, Feb. 2015)