Ord. #5470

AN ORDINANCE TO AMEND CHAPTER 3 OF THE CITY OF MEMPHIS CODE OF ORDINANCES TO INCLUDE NONDISCMINATION BASED UPON NATIONAL ORIGIN, ETHNICITY, AGE, DISABILITY, SEXUAL ORIENTATION AND GENDER IDENTITY.

WHEREAS, it is the intent of the Memphis City Council to strengthen their existing nondiscrimination policies and practices in accordance with State and Federal law; and

WHEREAS, it is the intent of the Memphis City Council to enact an ordinance that promotes the fair treatment and rights of individuals, without regard to national origin, ethnicity, age, disability, sexual orientation or gender identity; and

WHEREAS, is not the intent of the Memphis City Council to create any additional protected classes through the adoption of this ordinance or to have this ordinance interpreted by any commission, court, or other body as elevating one group into a protected class; and

WHEREAS, it is not the intent of the Memphis City Council to interfere with or in any way affect the hiring or personnel policies of its vendors, partners, contractors, or grantees through the adoption of this ordinance.

NOW, THEREFORE,

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS,

That Chapter 3, Section 3-8-6 of the Code of Ordinances, be and is hereby amended to read as follows:

Sec. 3-8-6. No Discrimination in City Employment.

There shall be no discrimination in city employment of personnel because of religion, race, sex, creed, political affiliation, national origin, ethnicity, age, disability, sexual orientation, gender identity or other non-merit factors, nor shall there by any discrimination in the promotion or demotion of city employees because of religion, race, sex, creed, political affiliation, national origin, ethnicity, age, disability, sexual orientation, gender identity or other non-merit factors. Gender identity means the actual or perceived gender-related identity, appearance, or mannerisms, or other gender-related characteristics of an individual, with or without regard to the individual's designated sex at birth.

SECTION 2. BE IT FURTHER ORDAINED, that the provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

#12

SECTION 3. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that this ordinance shall take effect on the later of: after it is passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the comptroller and become effective as otherwise provided by law.

LEE HARRIS
Council Member

BILL MORRISON
Chairman

ATTEST:
PATRICE THOMAS, COMPTROLLER

THE FOREGOING ORDINANCE
5470 PASSED
1st Reading 8-21-12
2nd Reading 9-4-12
3rd Reading 10-16-12
Approved Bill Morrison
Chairman of Council

Date Signed: 11-6-12

Approved: 11/9/12
Mayor, City of Memphis

Date Signed: 11/9/12

I hereby certify that the foregoing is a true copy, and said document was adopted by the Council of the City of Memphis as above indicated and approved by the Mayor.

Valerie C. Snipes
Comptroller