

**ORDINANCE NO. 5560**

**AN ORDINANCE TO UPDATE THE LIST OF UNLAWFUL ACTS OF  
DISCRIMINATION BY AMENDING SECTION 2.64.030 OF THE RAPID CITY  
MUNICIPAL CODE**

WHEREAS the City of Rapid City enacted Ordinance 5377 to reconstitute the Rapid City Human Relations Commission; and

WHEREAS Ordinance 5377 provided a list of unlawful acts of discrimination that the Human Relations Commission is authorized to investigate; and

WHEREAS the list of unlawful acts does not mirror state law; and

WHEREAS the Common Council finds it to be in the best interests of the City of Rapid City to amend the list of unlawful acts to mirror the laws of the State of South Dakota.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 2.64.030 be amended to read as follows:

**2.64.030 Unlawful acts.**

The following are declared to be unlawful discrimination:

A. For an employer, because of race, color, sex, creed, religion, ancestry, disability, ~~familial status~~, or national origin, to fail or refuse to hire, to discharge an employee or to accord adverse, unlawful or unequal treatment to any person or employee with respect to application, hiring, training, apprenticeship, tenure, promotion, upgrading, compensation, layoff, discharge or any term or condition of employment;

B. For an employment agency, because of race, color, sex, creed, religion, ancestry, disability, ~~familial status~~, or national origin, to accord adverse, unlawful or unequal treatment to any person or employee with respect to application, hiring, training, apprenticeship, tenure, promotion, upgrading, compensation, layoff, discharge, or any term or condition of employment;

C. For any labor organization, because of race, color, sex, creed, religion, ancestry, disability, ~~familial status~~, or national origin, to deny full and equal membership rights to an applicant for membership or to a member, to expel, suspend or otherwise discipline a member or to accord adverse unlawful or unequal treatment to any person or employee with respect to application, hiring, training, apprenticeship, tenure, promotion, upgrading, compensation, layoff, discharge or any term or condition of employment;

D. For any person having any interest in real property, any real estate broker, or any real estate agent, because of race, color, sex, creed, religion, ancestry, disability, familial status, or national origin, to fail or refuse to sell, rent, assign or otherwise transfer any real property to any other person, or to accord adverse, unlawful, or unequal treatment to any person with respect to the acquisition, occupancy, use or employment of any real property;

E. For any person engaged in the provision of public accommodations, because of race, color, sex, creed, religion, ancestry, disability, ~~familial status~~, or national origin, to fail or refuse to provide to any person access to the use of and benefit from the services and facilities of such public accommodations; or to accord adverse, unlawful or unequal treatment to any person with respect to the availability of the services and facilities, the price or other consideration thereof, the scope and quality thereof, or the terms and conditions under which the same are made available, including terms and conditions relating to the credit, payment, warranties, delivery, installation and repair;

F. For any person engaged in the provision of public services, by reason of race, color, sex, creed, religion, ancestry, disability, ~~familial status~~, or national origin, to fail or refuse to provide to any person access to the use and benefit thereof, or the terms and conditions under which the same are made available, including terms and conditions relating to the credit, payment, warranties, delivery, installation and repair;

G. For any person, ~~because of race, color, sex, creed, religion, ancestry, disability, familial status, or national origin~~, to conceal or attempt to conceal any unlawful discrimination, to aid, abet, compel, coerce, incite, induce or attempt to induce, another person to unlawfully discriminate or by any means, trick, artifice, advertisement or sign, or by use of any form of application, or by making any record or inquiry, or by any device whatsoever to bring about or facilitate unlawful discrimination, or to engage in or threaten to engage in any reprisal, economic or otherwise, against any person by reason of the latter's filing a complaint or testifying or assisting in the observance and support of the purposes and provisions of this chapter,

H. For any person, bank, banking organization, mortgage company, insurance company, or other financial institution or lender, or any agent or employee thereof, to whom application is made for financial assistance for the purchase, lease, acquisition, construction, rehabilitation, repair or maintenance of any real property, to discriminate against any person or group of persons, because of the race, color, sex, creed, religion, ancestry, disability, familial status, or national origin of the person or group of persons or of the prospective occupants or tenants of the real property in the granting, withholding, extending, modifying or renewing the financial assistance, or in the rates, terms, conditions or extension of services in connection therewith; and

I. Wherever religious organizations or bodies are exempt from any of the provisions of this chapter such exemption shall apply only to religious qualifications for employment or residence in church owned or operated property, and the organizations shall not be exempt from any provisions of this chapter relating to discrimination based upon race, color, sex, ancestry, disability, ~~familial status~~, or national origin.

CITY OF RAPID CITY

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Mayor

ATTEST:

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Finance Officer

(SEAL)

First Reading:  
Second Reading:  
Published:  
Effective: