

VILLAGE OF BISMARCK

ORDINANCE NO. 2010-5
FAIR HOUSING ORDINANCE

ADOPTED BY THE
CORPORATE AUTHORITIES
OF THE
VILLAGE OF BISMARCK

December 21, 2010

Published in pamphlet form by authority of the President and Board of Trustees of the
Village of Bismarck, Vermilion County, Illinois, the 21st day of December, 2010.

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ORDINANCE NO. 2010-5

FAIR HOUSING ORDINANCE

WHEREAS, Section 11-11.1-1 of the Illinois Municipal code) (65 ILCS 5/11-11.1-1) empowers "The corporate authorities of any Illinois municipality to enact ordinances prescribing fair housing practices, defining unfair housing practices, ... prohibiting discrimination based on race, color, religion, sex, creed, ancestry, national origin, or physical or mental handicap in the listing, sale, assignment, exchange, transfer, lease, rental or financing of real property for the purpose of the residential occupancy thereof, and prescribing penalties for violations of such ordinances."; and

WHEREAS, the corporate authorities of the Village of Bismarck believe it to be desirable that they enact a fair housing ordinance pursuant to the aforesaid power given them;

NOW THEREFOR, be it ordained by the President and Board of Trustees of the Village of Bismarck, Vermilion County, Illinois, that the following be enacted as the Fair Housing Ordinance of said Village, to wit:

Section 1.

It is hereby declared to be the policy of the Village to assure equal opportunity to all persons in housing accommodations.

Section 2 Definitions.

For the purpose of this ordinance the following definitions shall apply unless the context clearly indicates or requires a different meaning.

2.1 DISCRIMINATE. The term "discriminate" or "discrimination" means any difference expressed in any way toward a person in the terms of the sale, exchange, lease, rental or financing of real property used for the purpose of housing accommodations because of the race, color, religion, sex, creed, ancestry, national origin, or physical or mental handicap, of such person.

2.2 FINANCIAL INSTITUTION. The term "financial institution" means any person, institution or business entity of any kind which loans money to persons and receives as security for said loans a secured interest of any kind in the real or personal property of the borrower.

2.3 HOUSING ACCOMMODATION. Means real property upon which any building, mobile home, structure, or portion thereof is situated, which is occupied as, intended for occupancy as or designed for occupancy as a residence by one or more persons.

2.4 OWNER. Any person who holds legal or equitable title to, or owns any beneficial interest in, or who holds legal or equitable title to shares of, or holds any beneficial interest in any cooperative which owns any housing accommodations.

2.5 REAL ESTATE BROKER. Any person, partnership, association, corporation and/or agent thereof, who for a fee or other valuable consideration, offers, sells, purchases, exchanges or rents, or negotiates for the sale, purchase, exchange or rental of a housing accommodation of another, or collects rental for the use of a housing accommodation of another.

Section 3 Prohibited Acts.

A. It shall be unlawful for any owner of real estate, lessee, sub-lessee, real estate broker or salesperson, financial institution or employee of the financial institution, advertiser, or agent of any or all of the foregoing, to discriminate against any person because of his or her race, color, religion, sex, creed, ancestry, national origin, or physical or mental handicap, with regard to the listing, sale, assignment, exchange, transfer, lease, rental or financing of any housing accommodation.

B. In addition to the foregoing, it shall also be unlawful for any real estate broker or employee thereof, owner or other person, or financial institution dealing with housing accommodations in the Village, because of race, color, religion, sex, creed, ancestry, national origin, or physical or mental handicap:

3.1 To discriminate against any person in the availability of or the price, terms conditions, or privileges of any kind relating to the sale, rental, lease or occupancy of any housing accommodation in the Village or in furnishing of any facilities or services in connection therewith.

3.2 To publish or circulate, or cause to be published or circulated, any notice, statement or advertisement, or to announce a policy, or to use any form of application for the purchase, lease, rental or financing of any housing accommodation, or to make any record of inquiry in connection with the prospective purchase, rental or lease of such housing accommodation, which expresses directly or indirectly any discrimination as mentioned above.

3.3 To discriminate in connection with lending money, guaranteeing loans, accepting mortgages or otherwise obtaining or making available funds for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation.

3.4 To solicit for sale, lease, or listing for the sale or lease, of any housing accommodation on the ground of loss of value because of the present or prospective entry into any neighborhood of any person or persons of any particular race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap.

3.5 To distribute or cause to be distributed, written material or statements designed to induce any owner of any housing accommodation to sell or lease his or her property because of any present or prospective change in the race, color, religion, national origin or ancestry, sex, creed or physical or mental handicap of persons in the neighborhood.

3.6 To make any misrepresentation concerning the listing for sale or the anticipated listing for sale or the sale of any housing accommodation for the purpose of inducing or attempting to induce the sale or listing for sale of any housing accommodation by representing that the presence or anticipated presence of persons of any particular race, color, religion, national origin or ancestry, sex, creed or physical or mental handicap in the area will or may result in the lowering of property values in the block, neighborhood or area in which the property is located.

3.7 For an owner to solicit any real estate broker to sell, rent or otherwise deal with such owner's housing accommodations with any limitation on its sale based on race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap of the proposed buyer or tenant.

3.8 For an owner to refuse to sell, rent, or otherwise deal with any housing accommodation because of race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap of the proposed buyer or tenant.


Section 4 Penalty.

Any person convicted of violating any of the provisions of this chapter shall be punished by a fine of not less than \$100.00 not more than \$750.00. Each day a violation continues shall constitute a separate violation. This section shall in no way abrogate or impair the right of the Village to specifically enforce, by any legal means, any of the provisions of this chapter.

Adopted this 21 day of December, 2010, pursuant to roll call vote by the Corporate Authorities of the Village of Bismarck, Illinois, as follows, to wit:

Julie Boersma	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Dwayne Gettleman	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Mike Pundt	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Lee High	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Karel Volpert	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent
Millie Cook	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Absent

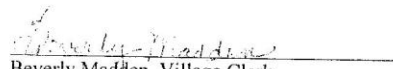
Approved December 21, 2010.



Eleanor White, Village President

ATTEST:

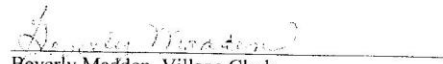
(SEAL)



Beverly Madden, Village Clerk

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Beverly Madden, Village Clerk