

Chapter 2.78

HUMAN RIGHTS COMMISSION ¹ See title 10, chapter 10.02 of this code.² (Rep. by Ord. 15-08 ? 2, 2008)

2.78.020 Definitions:

Unless otherwise specified, as used in this chapter:

- A. "City" means Salt Lake City, a municipal corporation of the state of Utah.
- B. "Commission" means Salt Lake City human rights commission created in section [2.78.030](#) of this chapter.
- C. "Council" means Salt Lake City council.
- D. "Disability" means a physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such impairment or being regarded as having such an impairment or defined and covered by the Americans with disabilities act of 1990, 42 USC section 12102.
- E. "Discrimination" means a practice in employment, immigration, housing, public safety, public transportation or in other city departments or services that unfairly segregates or separates on the grounds of age, ancestry, color, disability, gender, national origin, marital status, medical condition, physical limitation, race, religion, or sexual orientation or is unlawful under the United States constitution, the Utah constitution, title VII of the civil rights act of 1964, the age discrimination in employment act, the Americans with disabilities act, the Utah antidiscrimination act of 1965, or the Utah fair housing act.
- F. "Gender" means sex and includes pregnancy, childbirth, and disabilities relating to pregnancy or childbirth.
- G. "Mayor" means the duly elected or appointed and qualified mayor of Salt Lake City.
- H. "Marital status" means a person is either single, married, divorced, or separated.
- I. "Member" means a person appointed by the mayor with the advice and consent of the council who is duly qualified as an acting and voting member of the commission.
- J. "National origin" means the place of birth of an individual or any lineal ancestors.
- K. "Person" means an individual.
- L. "Sexual orientation" means the direction of one's sexual preference, including gender identity and expression. (Ord. 25-05 ? 2, 2005)

2.78.030 Human Rights Commission - Creation And Organization:

- A. There is created the human rights commission.

- B. The commission shall be composed of nine (9) members.
- C. The mayor shall appoint, with the advice and consent of the council:
1. Seven (7) representatives with one representative from each of the seven (7) council districts; and
 2. Two (2) representatives from the community who represent the diversity of the city.
- D. Each member of the commission shall:
1. Be at least eighteen (18) years of age;
 2. Be a resident of Salt Lake City.
- E. Each member of the commission initially appointed shall serve from the time of date of the appointment until his or her term expires. Members shall be appointed as provided in subsection C of this section except that those appointed shall draw by lot for terms of office of two (2), three (3), or four (4) years each so that terms of office expire on a staggered basis. Each member's term shall expire on the applicable last Monday in December. All appointed members of the commission shall serve no longer than two (2) consecutive terms.
- F. Each member shall perform duties on a voluntary basis without compensation and shall be immune from liability with respect to any decision or action taken during the course of his or her services as provided in Utah Code Annotated, section 63-30d-101 et seq. A member may receive reasonable compensation for authorized administrative, professional, or other bona fide services to the commission pursuant to a written contract in a capacity other than as a commission member.
- G. If a vacancy occurs for any reason before the member's term expires, the mayor shall appoint the replacement, with the advice and consent of the council, to fill the vacancy for the unexpired term. In exercising his or her discretion in making appointments, the mayor shall, when advisable, take into consideration the geographic diversity of the city and the bipartisan nature of the commission. (Ord. 25-05 ? 3, 2005)

2.78.050 Removal From Office:

- A. Any member may be removed from office by the mayor for cause prior to the normal expiration of the term for which such member was appointed.
- B. If any member engages in conduct that, in the opinion of the commission, is prejudicial to its best interests, the commission may recommend removal of such member to the mayor.
- C. Any member who shall be absent for one-half (1/2) of the meetings in any consecutive twelve (12) month period may be removed by the mayor. (Ord. 25-05 ? 4, 2005)

2.78.060 Members' Ethics:

Members shall comply with the provisions of the city's conflict of interest ordinance, chapter 2.44 of this title. Any violation of the provisions shall be grounds for removal from the commission. (Ord. 25-05 ? 5, 2005)

2.78.070 Meetings-Quorum:

- A. The commission shall meet no less than quarterly. The annual meeting schedule will be set at the first regular meeting after the third Monday in January of each year. The meetings shall comply with title 52, chapter 4, open and public meetings, Utah Code Annotated (1953, as amended) if applicable.
- B. Special meetings may be called by a majority of the commission, the chair, or the mayor. The member calling the special meeting must sign the call, and, unless waived in writing, each member not joining in the call must be given not less than twenty four (24) hours' notice. The notice shall be served personally or left at the member's residence or business office. A quorum shall constitute a majority of the commission positions filled for the transaction. The commission may act officially by an affirmative vote of the quorum.
- C. The commission shall keep a written record of its proceedings which shall be available for public inspection in the office of the city recorder. The commission shall record the yea and nay votes.
- D. The commission shall adopt a system of rules of procedure for conducting meetings. The commission may suspend the rules of procedure by unanimous vote of the members present. The commission shall not suspend the rules of procedure beyond the duration of the meeting when the suspension of rules occurs. (Ord. 25-05 ? 6, 2005)

2.78.080 Elections Of Officers:

At its first regular meeting after the third Monday in January, the commission shall select one of its members as chair and another as vice chair. The vice chair shall perform the duties of the chair during the chair's absence or disability. A member may not serve more than two (2) consecutive terms as chair. (Ord. 25-05 ? 7, 2005)

2.78.090 Advisory Authority:

- A. Any action taken by the commission shall be advisory in nature and shall constitute recommendations to the council and the mayor. The council and mayor shall consider the recommendations and review, ratify, modify, or disregard any recommendation submitted.
- B. The commission may not implement any action until the council or mayor notifies in writing that the recommendation is ratified or modified and adopted. If modified, the commission shall implement the action only as modified. (Ord. 25-05 ? 8, 2005)

2.78.100 Committees:

- A. The commission may designate such committee or committees as it desires to study, investigate, consider, or make recommendations on matters which are presented to the commission or undertaken by the commission.

- B. In the event the commission desires nonmembers to serve on such a committee, the commission may request the administrator of the police civilian review board, department of management services, to make the appointment.
- C. Committee members shall serve without compensation and shall be immune from liability as provided in subsection [2.78.030F](#) of this chapter. (Ord. 25-05 ? 9, 2005)

2.78.110 Powers And Duties:

- A. The commission shall make recommendations to the mayor and the council regarding the commission's:
 - 1. Ongoing review of ordinances or policies;
 - 2. Use of educational resources on issues of discrimination and equal treatment;
 - 3. Review of complaints of discrimination involving city departments or city services for the purpose of identifying the possible systemic or institutional sources of such instances of discrimination;
 - 4. Review of legislation, policies, or other action by the city designed to further the elimination of prejudice and discrimination;
 - 5. Review of any pending legislation, policy changes, or other city action that may impact human rights and relations;
 - 6. Research conducted or factual data obtained, within budgetary constraints, on the status and treatment of diverse populations and the best ways to improve human relations, to eliminate discrimination and to secure full and equal participation;
 - 7. Investigation of opportunities to collaborate with other groups to foster nondiscrimination education;
 - 8. Work in partnership to foster positive intergroup relations by instituting and conducting educational programs; and
 - 9. Actions as a resource at the request of community councils.
- B. The commission shall report to the council and the mayor no less than once each year on its activities, recommendations, and findings concerning matters on human rights and nondiscrimination policies. The report shall be in writing and made public. (Ord. 25-05 ? 10, 2005)