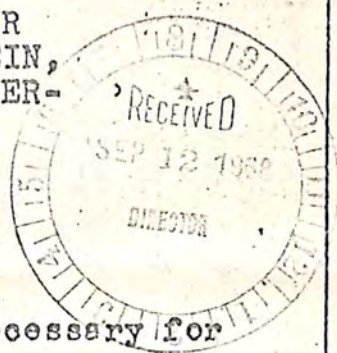


May 28-1968

ORDINANCE NO. 4549

0-2

AN EMERGENCY ORDINANCE OF THE COUNCIL OF THE CITY OF KNOXVILLE TO MAKE IT UNLAWFUL TO DISCRIMINATE IN THE SALE OR RENTAL OF HOUSING, THE ADVERTISING OF SUCH SALES OR RENTALS, OR TO MAKE FALSE REPRESENTATIONS AS TO ENTRY INTO A NEIGHBORHOOD OR PARTICULAR PERSONS, TO DEFINE CERTAIN TERMS THEREIN, AND TO PROVIDE A METHOD OF EXCLUDING CERTAIN INDIVIDUALS AND GROUPS THEREFROM.



WHEREAS, an emergency exists in that it is necessary for the immediate preservation of the public peace, property, health and safety for this Ordinance to become effective immediately upon its passage.

WHEREAS, it is deemed in the best interest of the public of this City that housing be made available to all its citizens without regard to race, color, religion or national origin.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KNOXVILLE:

SECTION 1: That the Code of the City of Knoxville, Tennessee is hereby amended by adding a section to, numbered _____, which said section reads as follows:

I

Definitions

For the purpose of this chapter the following words and terms shall have the meaning ascribed to them in this section:

"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 thereon of any such building, structure, or portion thereof."

"Family" includes a single individual.

"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.

"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.

II

Subject to the exceptions hereinafter set out it shall be unlawful for any person to do any of the following acts:

- (a) After a bona fide offer to sell or rent has been made, 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 or national origin.
- (b) 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 therewith, because of race, color, religion or national origin.
- (c) 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 or national origin, or an intention to make any such preference, limitation, or discrimination.
- (d) To represent to any person because of race, color, religion, or national origin that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.
- (e) 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 or national origin.

III

Nothing in the preceding section except sub-paragraph (c) is intended to apply to--

- (a) any single family house sold or rented by an owner or his agent, provided that the owner is the occupant of the house at the time it is offered for sale or rental.
- (b) any single family house sold or rented by an owner: PROVIDED, That such private individual owner does not own more than three such single family houses at any one time; PROVIDED FURTHER, That in the case of the sale of any such single family house by a private individual owner not residing in such house at the time of such sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one such sale within any twenty-four month period: PROVIDED FURTHER, That such bona fide private individual owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or any right to all or a portion of the proceeds

from the sale or rental of, more than three such single family houses at any one time: PROVIDED FURTHER, the sale or rental of any such single family house covered by this subsection shall be excepted from the application of Section II only if such house is sold or rented without the use in any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent, or salesman, or of such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent, salesman, or person. Nothing in this proviso shall prohibit the use of attorneys, escrow agents, abstractors, title companies, and other such professional assistance as necessary to perfect or transfer the title. For the purposes of this subsection, a person shall be deemed to be in the business of selling or renting dwellings if--

(1) he has, within the preceding twelve months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein, or

(2) he has, within the preceding twelve months, participated as agent, other than in the sale of his own personal residence in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any dwelling or any interest therein, or

(3) he is the owner of any dwelling designed or intended for occupancy by, or occupied by, five or more families.

(c) Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

IV

Nothing in this section 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 of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color, or national origin. Nor shall anything in this section prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members.

SECTION 2: BE IT FURTHER ORDAINED, that this ordinance shall take effect ~~seven days~~ from and after its passage, the welfare of the ^{public} ~~City~~ requiring it.

Presiding Officer of the Council

Recorder