

A LOCAL LAW AMENDING ARTICLE I OF CHAPTER 174 OF THE CODE OF THE CITY OF HUDSON

Section 1. Title

This local law shall be known as the Fair Housing Officer Law, Local Law No. ___ for the year 2021.

Section 2. Legislative Findings, Intent and Purpose.

The Common Council hereby finds that the City of Hudson is renewing its commitment to promote fair, non-discriminatory housing within the city and that the best way to promote fair housing policies is to update and amend Chapter 174 of the city code to create the position of a Fair Housing Officer whom shall be an unpaid city position under the direction and supervision of the Mayor.

Section 3. Statement of Authority.

This local law is authorized by the Municipal Home Rule Law (Chapter 36-a of the Consolidated Laws of the State of New York) and the General City Law (Chapter 21 of the Consolidated Laws of the State of New York).

Section 4. Amendments.

- I. Hudson City Code Chapter 174 is hereby *AMENDED* by *REPLACING* the existing Article I with the following:**

§ 174-1. Fair Housing Office established; policy established.

It is hereby ordained and directed that the City of Hudson by this article adopts and establishes a Fair Housing Office and establishes a fair housing policy. The Fair Housing Office will be an executive office under the supervision of the Mayor. The purpose, policy, duties and procedures to be followed by the Office under this fair housing article are set forth below.

§ 174-2. Statement of policy and purpose.

- A. In accord with the Federal Fair Housing Act (42 U.S.C. §3601 et. seq.) and the New York State Human Rights Law (Executive Law Article 15) it is the policy of the City of Hudson to provide fair housing.
- B. The opportunity for ownership, use and occupancy of housing accommodations without discrimination because of age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, marital status or disability is hereby recognized as and declared a policy of the City of Hudson to promote fair housing.

§ 174-3. Definitions

All such definitions of the Human Rights Law of the State of New York as pertain to fair housing (Executive Law §292) as amended, are adopted and incorporated herein by the City as provisions of this article.

§ 174-4 Statement of unlawful discriminatory practices.

The unlawful discriminatory practices concerning public and private housing contained in §§ 296(2) and 296(5) of the Human Rights Law (Executive Law, Art. 15) are hereby restated by the City of Hudson as the unlawful discriminatory practices governed by this article.

§ 174-5. Fair Housing Office

There is hereby established a Fair Housing Office which is designated to administer this article. The head of such Office shall be appointed by the Mayor and whose title hereunder shall be the "Fair Housing Officer of the City of Hudson." The Fair Housing Officer shall be a resident of the City of Hudson and shall be required to undertake periodic training to stay up to date on fair housing laws and practices. The Fair Housing Officer who will serve at the pleasure of the Mayor and be unpaid but otherwise eligible for an annual honorarium set in city budget. The Fair Housing Officer shall:

- A. Establish and maintain a principal office within the City as may be necessary.
- B. Upon request, obtain and utilize the services of all governmental departments and agencies.
- C. Formulate policies to effectuate the purpose of this article.
- D. Receive and investigate complaints alleging violations of this article.
- E. Develop fair housing plans and policies for the City and to assist in their execution, to make investigations and studies appropriate to effectuate this article, to inform persons of the rights assured and remedies provided under this article and to provide goodwill and to minimize or eliminate discrimination in housing practices.
- F. Render each quarter to the Mayor and to the Common Council a written report of all of its activities and of its recommendations.
- G. Furnish any person with such technical assistance that the Fair Housing Officer deems appropriate to further compliance with the purposes or provisions of this article.
- H. Have such other powers and duties described hereinafter and as may be designated by the Mayor or otherwise authorized by the Common Council.

§ 174-6. Filing of complaint of discriminatory practice.

- A. Any person claiming to be aggrieved by an unlawful discriminatory practice may, by themselves, or by their attorney, make, sign and file with the Fair Housing Officer, a verified complaint which shall state the name and address of the person or persons alleged to have committed the unlawful discriminatory practice complained of and which shall set

forth the particulars thereof and contain such other information as may be requested by the Fair Housing Officer.

- B. After the filing of the complaint, the Fair Housing Officer shall make a prompt investigation in connection therewith.
- C. If, in the judgment of the Fair Housing Officer, the circumstances so warrant, it may, at any time after the filing of the complaint, endeavor to eliminate such discriminatory practice by conference, conciliation and persuasion.
- D. Nothing contained in this article shall be construed as to limit or prohibit investigation by any other governmental unit of competent jurisdiction, nor shall anything contained herein limit any aggrieved party from pursuing any remedy available therefrom or from pursuing a private right of action through the courts. In the event of such a situation, the Fair Housing Office is hereby empowered to place any and all of its material obtained through the investigation at the disposal of such other governmental unit or the individual pursuing a private course of action.

Section 5. Severability

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation in said clause, sentence, paragraph, section or part of this Local Law.

Section 6. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

Introduced _____

Seconded _____

Approved _____

Kamal Johnson, Mayor