

CHAPTER 3

HUMAN RELATIONS COMMISSION

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Article I. In General

Sec. 3-101 Declaration of policy.

The practice or policy of discrimination against individuals in employment relations, in relation to free and public accommodations, in housing by reason of race, religion, color, age, sex, disability, national origin or ancestry or in housing by reason of familial status is a matter of concern to the city since such discrimination threatens not only the rights and privileges of the inhabitants of the City of Hutchinson but menaces the institutions and foundations of a free democratic state. It is hereby declared to be the policy of the City of Hutchinson to eliminate and prevent discrimination in all employment relations, to eliminate and prevent discrimination, segregation, or separation in all places of public accommodation covered by this section and to eliminate and prevent discrimination, segregation or separation in housing.

It is also declared to be the policy of this city to assure equal opportunities and encouragement to every citizen regardless of race, religion, color, age, sex, disability, national origin or ancestry, in securing and holding, without discrimination, employment in any field of work or labor for which a person is properly qualified, to assure equal opportunities to all persons within this city to full and equal public accommodations, and to assure equal opportunities in housing without distinction on account of race, religion, color, sex, disability, familial status, national origin or ancestry. It is further declared that the opportunity to secure and to hold employment, the opportunity for full and equal public accommodations as covered by this act and the opportunity for full and equal housing are civil rights of every citizen. (*Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91*)

Sec. 3-102 Definitions.

When used in this chapter, the following words shall mean:

“Age” means an age of forty or more years.

“Chairperson” means the chairperson of the human relations commission as created by this chapter.

“City” means the City of Hutchinson.

“Commission” means the human relations commission as created by this chapter.

“Complainant” means any person claiming to be aggrieved, or a person filing a complaint on behalf of any person claiming to be aggrieved by any unlawful act.

“Officer” means the human relations officer, as described in this chapter.

“Person” includes one or more individuals, partnerships, associations, organizations, corporations, municipal corporations, quasi-municipal corporations, governmental agencies, public bodies, legal representatives, trustees, trustees in bankruptcy receivers, fiduciaries, mutual companies or unincorporated organizations.

“Probable cause” means the presence of a reasonable ground for belief in the existence of the alleged fact of a violation of any statute, ordinance, or other authority, orders, rules or regulations.

“Respondent” means any person upon whom a complaint has been filed under the provisions of this chapter.

“Unlawful Act” means an unlawful discriminatory practice or unlawful employment practice as defined by K.S.A. 44-1009 as amended, K.S.A. 44-1113 as amended, or a discriminatory housing practice as defined by K.S.A. 44-1016, 44-1017 or 44-1026 and amendments thereto.

All other words shall have the meanings set forth in K.S.A. 44-1002 and K.S.A. 44-1015, as amended.

(Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)

Article II. Human Relations Commission

Sec. 3-201 Human relations commission created, appointment of members, terms, quorum, removal.

a. There is hereby created a commission to be known as the human relations commission. Said commission shall consist of nine members, who shall be residents of, or own or rent real property in, the City of Hutchinson. The commission shall be appointed by the mayor with the consent of the governing body of the city of Hutchinson, Kansas. The commission shall elect one of its members as chairperson thereof. The commission shall elect, in the same manner, one of its members as vice-chairperson, who shall act as chairperson during the absence or incapability of the chairperson; when so acting, the member so designated shall have and perform all the duties and functions of the chairperson of the commission. The term of office of each member of the commission shall be three years and until his or her successor is qualified. The term of office of the chairperson and vice-chairperson shall be for one year, and no person shall serve more than two consecutive terms in the same office unless such election to the immediately subsequent term be made by the members of the commission by unanimous vote.

b. The chairperson or vice-chairperson may resign from office at any time during their terms and may do so without resigning from the commission. In such event, the commission shall elect another member to the unexpired term of the person resigning. A majority of the presently serving members of the commission shall constitute a quorum for the purpose of conducting the business thereof. The members of the commission shall serve without compensation.

c. It is the policy of the City of Hutchinson, Kansas, that the commission be representative of the many diverse groups within the community, whether such groups be defined by occupation, race, sex, religion, color, age, national origin, ancestry, disability or other criteria. To this end, the mayor shall, in making such appointments as may from time to time be necessary, attempt to establish and preserve this diversity among members of the commission to the fullest extent practicable.

d. No member or members of the commission shall attempt to act on any matter over which the commission has jurisdiction unless and until the commission has given prior approval to such action. Any member of the commission may be removed by the mayor with the consent of the governing body for inefficiency, neglect of duty or misconduct or malfeasance in office, after being given a written statement of the charges and an opportunity to be heard thereon by the commission. Misconduct in office shall include, but not be limited to, breach of confidentiality, acting outside of the scope of their authority or other improper conduct.

(Ord. 7537, Adop. 2/18/97; Ord. 7383, Adop. 2/09/93; Ord. 7334, Adop. 6/25/91)

Sec. 3-202 Functions, powers and duties of the commission.

a. The commission shall act in a policy making and advisory capacity and its function shall be to further amicable relations among the various segments of the population, which comprise the city of Hutchinson; to help preserve and further the good name of Hutchinson for tolerance and fairness and promote better relations among its people; to help make it possible for each citizen regardless of race, sex, religion, color, age, national origin, ancestry or disability to develop talents and abilities without limitations; and to aid in permitting the community to benefit from the fullest realization of its human resources.

b. In order to accomplish the objectives herein set out, the commission shall advise the mayor and governing body of the city on problems affecting human and intergroup relations; make studies, surveys and investigations to provide accurate data for orderly and constructive community development, and recommend such measures as are deemed necessary to carry out the objectives for which the commission has been created; consult with and obtain cooperation and coordinate efforts on the part of all agencies, both private and public, such as schools, law enforcement agencies, welfare organizations, youth and other similar groups, which function in the field of human relations; utilize the resources of individuals and groups toward the improvement of intergroup relations; enlist all potential community forces in an effort to make more secure and to extend democratic

rights, opportunities and practices; and influence and encourage community support for educational programs and appropriate legislation designed to:

1. Combat those misconceptions, prejudices and untruths which tend to set group against group; and

2. Reduce tensions created by ignorance and bigotry, and eliminate discriminatory practices arising from prejudice.

(Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)

Sec. 3-203 Goals of commission.

The commission shall endeavor to eliminate prejudice among the various groups in this city and to create harmonious relationships among the various persons and agencies within this city. *(Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)*

Sec. 3-204 Advisory agencies.

The commission may establish or create advisory and/or conciliatory agencies to study the problems of youth, aged, disabled, and mentally disadvantaged. Such agencies may recommend to the governing body human relations policies, procedures and programs. Such advisory and/or conciliatory agencies shall be composed of representative citizens serving without pay. The commission may itself make the studies and perform the acts authorized by this article. It shall, by voluntary conference with parties in interest, endeavor by conciliation and persuasion to eliminate discrimination. *(Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)*

Sec. 3-205 Contributions.

The commission may accept contributions from any person or government unit to assist in the effectuation of this article, and may seek and enlist the cooperation, including financial assistance, of private, charitable, religious, labor, civic, or benevolent organizations for the purpose of this article. *(Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)*

Sec. 36-206 Public education.

The commission may actively promote the purpose of, and distribute information about, this chapter through public appearances, speaking engagements, news media, publications, etc. and may issue such publications and such results of investigation and research as, in its judgment, will tend to promote good will and minimize or eliminate discrimination because of race, sex, religion, color, age, national origin, ancestry or disability. *(Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)*

Sec. 3-207 Contracts with other agencies.

After obtaining the approval of the governing body as to the terms, covenants and conditions therein contained, the commission shall be authorized to enter into contracts, agreements or memoranda of agreement with the Kansas Human Rights Commission, the Federal Equal Opportunity Commission and the Department of Housing and Urban Development in order to carry out any and all assignments made through these agencies to the Hutchinson Human Relations Commission. The commission, with the approval of the governing body, may make application to any person, organization, city, county, state or federal government unit or agency for funds to make effective the purpose of this chapter. All funds shall be received and disbursed in the name of the City of Hutchinson, Kansas. (Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)

Sec. 3-208 Meeting.

The commission shall meet regularly once each month at a place and time decided by the commission for the purpose of adopting rules and regulations and conducting necessary business. Special meetings may be called by the chairperson or by a majority of the members of the commission then presently serving. (Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)

Sec. 3-209 Agenda--Minutes.

The commission shall regularly advise the members of the governing body, through distribution of its agenda, minutes, memoranda, reports, and other pertinent documents, of the items of business before the commission, the on going status of such items, and the disposition of such items. (Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)

Article III. Human Relations Division

Sec. 3-301 Creation of division.

There is hereby created a human relations division of the human resources department for the purpose of administering and enforcing the provisions of this chapter or as hereafter amended. (Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)

Sec. 3-302 Position of human relations officer, created.

There is hereby created the position of human relations officer of the City of Hutchinson to be appointed by and directly responsible to the city manager. Merit and fitness shall be the governing criteria in the selection of the human relations officer. (Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)

Sec. 3-303 Duties, responsibilities, and authority of the human relations officer.

a. The administration of this chapter shall be the responsibility of the human relations officer and designated staff. The human relations officer shall promulgate procedures to implement, expedite and effectuate the provisions of this chapter. The human relations officer shall have the power and responsibility to seek cooperation from and, upon request, make technical assistance available to all city government departments, agencies, and businesses throughout the community; to receive, investigate and attempt to conciliate complaints alleging discrimination in employment, real estate transactions and public accommodations because of race, sex, religion, color, age, national origin, ancestry or disability; and pursue the goals of the affirmative action implementation within municipal government and external to municipal government through continued dialogue and technical assistance.

b. The human relations officer shall attend all meetings and serve as secretary of the human relations commission; provide necessary reports, such as agenda, minutes, and schedules of commission meetings to the commission, to the governing body and to the city manager; and advise the local news media of commission meetings and agenda. *(Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)*

Sec. 3-304 Request for investigative materials.

In conducting an investigation, the human relations officer may, after due notice and after seeking the cooperation of the persons involved, request access at all reasonable times to premises, records, documents and other evidence or possible sources of evidence as are reasonably necessary for the furtherance of the investigation, and may examine, record, and copy such materials and take and record the testimony or statements of such persons as are reasonable necessary for the furtherance of the investigation. *(Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)*

Article IV. Complaint Procedures, Investigations, Conferences and Conciliation, Formal Complaint, Commission Hearing Panel

Sec. 3-401 Complaints--Filing.

a. Any person claiming to be aggrieved or any person filing a complaint on behalf of a person alleging to be aggrieved by an alleged unlawful act or practice may, personally or by an attorney-at-law, make, sign and file with the commission a verified complaint in writing which shall state the name and address of the person alleged to have committed the unlawful practice complained of, and which shall set forth the particulars thereof and contain such other information as may be required by the commission. The Commission, with the approval of the City Attorney, upon its own initiative may, in like manner, make, sign and file such complaint.

b. In the event a complaint is against the City or any of its officials or employees, the complaint will be referred to the Kansas Human Rights Commission, if efforts to resolve the complaint pursuant to Section 3-406 are unsuccessful.
(Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)

Sec. 3-402 Same--Filing deadline.

Any complaint filed pursuant to this Section must be so filed within one hundred and eighty calendar days (180) of the alleged act of discrimination unless the act complained of constitutes a continuing pattern or practice of discrimination, in which event it will be from the last act of discrimination. (Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)

Sec. 3-403 Same--False complaints illegal; penalty.

a. It shall be unlawful for any person to knowingly and intentionally submit or file or cause to be submitted or filed a false or misleading complaint, statement, response or report with the commission, the human relations officer or any department personnel.

b. Each enumerated offense is a Class C misdemeanor.
(Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)

Sec. 3-404 Same--Docket.

The human relations department shall maintain a docket of all legally filed complaints, and each complaint as initiated shall be assigned an appropriate designation. (Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)

Sec. 3-405 Same-Notification of respondent.

The human relations officer shall, within ten business days after said complaint has been filed, notify the respondent by certified mail that a complaint has been filed. Such notice shall include a copy of the complaint, and show the name of the complainant, the date the complaint was filed, and the nature of the complaint, and a statement that the human relations officer or a member of his/her staff will, as soon as possible, proceed with processing of the complaint. (Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)

Sec. 3-406 Preliminary Investigative Conference.

Within fourteen days thereafter, the human relations officer shall schedule a preliminary investigative conference and invite the complainant and respondent to attend. At the conference, the human relations officer shall attempt to ascertain the positions of the parties and whether the complaint can be resolved. The conference may be adjourned to as many subsequent days as necessary. If the complainant fails, without just cause, to appear, the complaint will be dismissed. If the respondent fails, without just cause, to appear, or the complaint is not resolved, the human relations officer shall proceed to investigate the complaint. (Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91)

Sec. 3-407 Investigation of Probable Cause.

(a) Whenever the Officer has received a written verified complaint alleging that any person has engaged, is engaging, or is about to engage, in an unlawful act or practice in violation of this Article, the Officer, or his or her designee, shall investigate that alleged unlawful act or practice. Unless the City has entered into a work-sharing arrangement with a State or Federal Civil Rights Agency, no investigation will be commenced if the same complaint has previously been filed with a State or Federal Civil Rights Agency, and any investigation will be suspended if the same complaint is subsequently filed with a State or Federal Civil Rights Agency.

(b) The Officer, in the course and furtherance of the investigation of any written verified complaint, with the consent of the City Attorney, may issue a subpoena to compel the testimony of any person or to require the production of books, records, papers or any other material relevant or possibly relevant to the complaint. In the event that a subpoenaed person fails to appear and testify, or that the subpoenaed books, records, papers, or other materials are not produced, the Officer may seek enforcement of such subpoena in the manner provided by law.

(c) The investigation of a complaint alleging unlawful discrimination in housing shall be commenced before the end of the 30th day after receipt of the complaint, and completed within one hundred (100) days after receipt of the complaint unless it is impracticable to do so, in which event the Officer shall cause both the complainant and the respondent to be notified in writing of the reasons for not doing so. Failing completion of investigation within one hundred (100) days, the provisions of the following paragraph shall apply to the investigation of housing complaints.

(d) The investigation of a complaint shall be completed within one hundred fifty (150) days from the date the complaint was filed with the Officer, except that for good cause, the Officer may extend the time limit for completion of the investigation for an additional sixty (60) days. If it is impracticable to complete the investigation within the maximum time allowed by this Subsection, the Officer shall notify both the complainant and respondent, in writing, of the reasons for not doing so, and the investigation may continue until its completion.

(Ord. 7537, Adop. 2/18/97)

Sec. 3-408 Prompt Judicial Action.

If the Officer concludes, at any time following the filing of a complaint alleging an unlawful housing practice, that prompt judicial action is necessary to carry out the purposes of this Article, the Officer may commence a civil action for appropriate temporary or preliminary relief pending final disposition of the complaint under this Section. Any temporary restraining order or other order granting preliminary or temporary relief shall be issued in accordance with appropriate Rules of Civil Procedure. The commencement of a civil action

under this Subsection does not affect the initiation or continuation of administrative proceedings provided under local, state or federal law. (*Ord. 7537, Adop. 2/18/97*)

Sec. 3-409 Determination of Probable Cause.

(a) Upon completion of the investigation, the investigator shall, within five (5) business days, prepare a final investigative report and present it to the Officer for his or her review. The final investigative report shall contain at least:

- (1) the names and dates of contacts with witnesses;
- (2) a summary and the dates of correspondence and other contacts with the complainant and the respondent;
- (3) a summary description of other pertinent records;
- (4) a summary of witness statements; and
- (5) answers to all interrogatories.

(b) Within ten (10) business days after receipt of the final investigative report, the Officer shall determine whether probable cause exists for crediting the allegations of the complaint, and shall cause notice of that determination to be mailed to the complainant and respondent by certified mail, return receipt requested.

(1) If the Officer determines there is probable cause to credit the allegations of the complaint, the notice of the determination of probable cause:

- (a) shall consist of a short and plain statement of the facts upon which probable cause has been found;
- (b) shall be based on the final investigative report;
- (c) need not be limited to the facts or grounds alleged in the complaint;
- (d) shall include notification of the commencement of, and provisions regarding conciliation and persuasion;
- (e) shall include notification of provision for a public hearing in the event of failure of conciliation and persuasion; and
- (f) shall include notification of the choice of forums of legal recourse available.

(2) If the Officer determines there is no probable cause to credit the allegations of the complaint, the notice of the determination shall also include a statement advising the parties that the complaint has been dismissed.

(Ord. 7537, Adop. 2/18/97)

Sec. 3-410 Same-Conciliation.

If the human relations officer shall determine after such investigation that probable cause exists for crediting the allegations of the complaint, he/she shall, within ten business days from such determination, cause to be issued and served upon the complainant and respondent written notice of such determination. Such written notice shall propose conciliation and establish a schedule therefor. The human relations officer shall endeavor to eliminate the unlawful employment practice or the unlawful discriminatory practice or unlawful housing practice complained of by conference and conciliation. The complainant, respondent and human relations officer shall have 45 days from the date respondent is notified in writing of finding of probable cause to enter into a conciliation agreement signed by all parties in interest. The terms of such conciliation agreement may include any provisions and remedies for retroactive, present or future effect to eliminate the unlawful practice or act as set forth in federal and state guidelines. Upon agreement by the parties, the time for entering into such agreement may be extended. If the complainant, respondent and human relations officer are successful in endeavors under conference and conciliation, this shall close the case. The members of the commission, human relations officer and staff shall not disclose what has transpired in the course of such endeavors. *(Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91))*

Sec. 3-411 Election For Civil Action.

In case of failure of conciliation efforts in an unlawful housing practice case, any party can elect to have the matter decided in a civil action provided for in K.S.A. 44-1019(h). If no such election is made, then a hearing shall be held before a hearing examiner in the manner provided for in Section 3-411. *(Ord. 7537, Adop. 2/18/97)*

Sec. 3-412 Hearings.

(a) In case of failure to eliminate such practices by conference and conciliation, the commission shall then cause to be issued and served, in the name of the commission, a written notice together with a copy of such complaint as the same may have been amended requiring the person, employer, labor organization, employment agency, realtor or financial institution named in such complaint, hereinafter referred to as respondent, to answer the charges to such complaint before a hearing examiner to be appointed by the Governing Body at a time not less than ten (10) business days after the service of said notice, unless the respondent requests in writing and is granted a continuance by the Officer;

(b) The Governing Body shall appoint a hearing examiner who shall be an attorney duly admitted to practice in the courts of Kansas and who has experience with

Civil Rights Law. Compensation of the hearing examiner shall be fixed by the Governing Body;

(c) The complainant or respondent may apply to the Human Relations Commission for the issuance of a subpoena for the attendance of any person or the production or examination of any books, records or documents pertinent to the proceedings at the hearing. Upon such application, the Human Relations Commission shall cause such subpoena to be issued;

(d) A City Attorney or an attorney selected by the Governing Body shall present the cases brought before the hearing examiner;

(e) The respondent may file a written, verified answer to the complaint and appear at such hearing in person or otherwise, with or without counsel, and submit testimony. The hearing examiner or a complainant shall have the power, reasonably and fairly, to amend any complaint and the respondent shall have like power to amend his or her answer. The hearing examiner shall be bound by the rules of evidence of the prevailing courts of law or equity and only relevant evidence of reasonable probative value shall be received. Reasonable examination and cross-examination shall be permitted. All parties shall be afforded opportunity to submit briefs prior to adjudication. The testimony taken at the hearing shall be under oath and be recorded and transcribed at the request of either the respondent or complainant;

(f) The hearing examiner shall upon the conclusion of the hearing make findings of fact and conclusions of law and issue orders based thereon. The rulings made by the hearing examiner shall be binding upon all parties;

(g) If upon all the evidence in the hearing, the hearing examiner shall find the respondent has engaged in or is engaged in any unlawful discriminatory practice or unlawful employment practice as defined in this Chapter, then the hearing examiner shall state the findings of fact and shall issue and cause to be served upon such respondent an order requiring such respondent to cease and desist from such unlawful act and to take such affirmative action, including, but not limited to, the hiring, reinstatement or upgrading of employees, with or without back pay, and the admission or restoration of membership in any respondent labor organizations; the admission to and full and equal enjoyment of the goods, services, facilities and accommodations offered by any respondent place of public accommodation denied in violation of this Section as in the judgment of the hearing examiner will effectuate the purposes of this Chapter and including a requirement for a report of the manner of compliance. Such order may also include an award of damages for pain, suffering and humiliation which are incidental to the act of discrimination, except that an award for such pain, suffering and humiliation shall in no event exceed the sum of Two Thousand Dollars (\$2,000.00);

(h) If the hearing officer shall find that a respondent has engaged in or is engaging in any discriminatory housing practice, the hearing officer shall render an order requiring the respondent to cease and desist from such discriminatory housing practice,

and such order may direct a respondent to take such affirmative action as the hearing officer deems necessary to effectuate the intent and purposes of this article, including, but not limited to, the selling or renting of specified real property and the lending of money for the acquisition, construction, rehabilitation, repair or maintenance of real property. Such order may also include an award of compensatory damages and of damages for pain, suffering and humiliation which are incidental to the act of discrimination, except that an award for such pain, suffering and humiliation shall in no event exceed the sum of two thousand dollars (\$2,000). Such order may also, to vindicate the public interest, assess a civil penalty against the respondent:

(1) In an amount not exceeding \$10,000, if the respondent has not been adjudged to have committed any prior discriminatory housing practice;

(2) subject to the provisions of subsection (h)(4), in an amount not exceeding \$25,000, if the respondent has been adjudged to have committed one other discriminatory housing practice during the five (5) year period ending on the date of the filing of the complaint;

(3) subject to the provisions of subsection (h)(4), in an amount not exceeding \$50,000, if the respondent has been adjudged to have committed two or more discriminatory housing practices during the seven (7) year period ending on the date of the filing of the complaint; and

(4) if the acts constituting the discriminatory housing practice that is the object of the complaint are committed by the same natural person who has been adjudged to have committed acts constituting a discriminatory housing practice in the amounts provided by subsections (h)(2) and (h)(3) without regard to the period of time within which any subsequent discriminatory housing practice occurred.

(5) If the hearing examiner finds that a respondent has not engaged in any such act, the hearing examiner shall render an order dismissing the complaint as to such respondent; and

(6) The copy of the order shall be delivered by certified mail, return receipt requested, in all cases, by the Human Relations Commission to the complainant, to the respondent, to the City Attorney's office and such other public officers as the Human Relations Commission may deem proper.

(Ord. 7537, Adop. 2/18/97)

Sec. 3-413 Order.

The order of the hearing officer shall be deemed an order of the commission. *(Ord. 7537, Adop. 2/18/97)*

Sec. 3-414 Enforcement and Review.

The commission's order shall be subject to enforcement and review pursuant to K.S.A. 12-16,106 and amendments thereto. (*Ord. 7537, Adop. 2/18/97*)

Sec. 3-415 Notification.

(a) Within fifteen (15) days after the hearing officer's order is served by the commission requiring or prohibiting action by a respondent, the respondent shall notify the commission in writing of the manner in which the respondent has complied with the order.

(b) In the case of an order with respect to a discriminatory housing practice that occurred in the course of a business subject to a licensing or regulation by a state agency, the commission may, no later than thirty (30) days after the respondent has complied with the order, or, if such order is judicially reviewed under Section 3-413, thirty (30) days after such order is in substance affirmed upon such review:

(1) Send copies of the findings of fact, conclusions of law, and the order, to that agency; and

(2) recommend to the agency appropriate disciplinary action, including, where appropriate, the suspension or revocation of the license of the respondent.
(*Ord. 7537, Adop. 2/18/97*)

Article V. Construction and Severability

Sec. 3-501 Construction.

The provisions of the ordinance codified in this Chapter shall be construed liberally for the accomplishment of the purposes thereof. Nothing in this act shall be construed to mean that an employer shall be forced to hire unqualified or incompetent personnel or discharge qualified or competent personnel. (*Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91*)

Sec. 3-502 Severability.

If any provision of this chapter or the application thereof to any persons or circumstances is held invalid, such invalidity shall not affect other provisions of this chapter, or the application thereof, which can be given effect without the invalid provisions or application, and to this end the provisions are declared to be severable. (*Ord. 7537, Adop. 2/18/97; Ord. 7334, Adop. 6/25/91*)