



ORDINANCE

04-O-1729

BY COUNCILMEMBER <sup>5</sup> NATALYN M. ARCHIBONG + ANNE FAUVER  
AS SUBSTITUTED BY FULL COUNCIL

**AN ORDINANCE TO AMEND SECTIONS 94-10, 94-37 AND 94-38, CHAPTER 94 OF ARTICLE II, HUMAN RELATIONS COMMISSION OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA SO AS TO AUTHORIZE THE COMMISSION TO ELECT ITS CHAIRPERSON; TO DELETE THE QUALIFICATION THEREFOR; TO AUTHORIZE THE VICE CHAIR TO SERVE IN THE ABSENCE OF THE CHAIR; TO PROVIDE FOR THE SPECIAL QUALIFICATIONS OF AT LEAST ONE APPOINTMENT MADE BY THE PRESIDENT OF COUNCIL; AND FOR OTHER PURPOSES.**

**WHEREAS**, in the City of Atlanta, with its great cosmopolitan population consisting of large numbers of people of every race, color, creed, religion, sex, marital status, parental status, familial status, sexual orientation, national origin, gender identity, and age, many of them with physical and mental disabilities, there is no greater danger to the health, morals, safety and welfare of the city and its inhabitants than the existence of groups prejudiced against one another and antagonistic to each other because of their differences; and

**WHEREAS**, the Atlanta City Council found and declared that prejudice, intolerance, bigotry and discrimination and disorder occasioned thereby threaten the rights and proper privileges of its inhabitants and menace the very institutions, foundations and bedrock of a free democratic society; and

**WHEREAS**, in December of 2000, the Human Relations Commission was created by the Council to serve as the official protector of the human relations principle; and

**WHEREAS**, the Commission consists of seven (7) members, with the appointee of the President of Council automatically being the Chair; and it is further stipulated that that person should be a lawyer by profession; and

**WHEREAS**, this stipulation has shown itself to be worrisome and problematic, and it is hereby declared by the Council of the City of Atlanta that the Commission shall elect its own chair, who does not, by definition, have to be a lawyer.

**THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, as follows:

**Section 1:** The definition of "Chair" in Chapter 94, Human Relations Commission Section 94-10 of Article II, of the Code of Ordinances of the City of Atlanta which reads:



“Chair refers to that person appointed by the president of the council to supervise the administration of the human relations commission.”

**be amended to read:**

“Chair refers to that person elected by the majority of the members of the Human Relations Commission to supervise the administration of the human relations commission. In the event of a vacancy or in the absence of the Chair so elected, the Vice Chair shall serve as Chair”.

**Section 2:** Section 94-37 which reads:

The human relations commission shall consist of seven members, divided into three classes-Class A, Class B, and Class C. Class A shall contain three members, and Class B and Class C shall each contain two members. After the phase-in period, members shall hold office for a three-year term staggered so that the membership terms of only one class of members shall expire each year. The initial members shall be appointed and designated to a class by the president of the council no later than January 1, 2001. The term of office of the initial Class A members shall expire on January 1, 2002; the term of office of the initial Class B members shall expire on January 1, 2003; and the term of office of the initial Class C members shall expire on January 1, 2004. After January 1 2002, at the expiration of the terms of the initial Class A members, one Class A member shall be appointed by the president of council, one shall be appointed by the Mayor and one shall be appointed by the at-large councilmember in Post 1 in coordination with the Councilmembers for Districts 1 through 4. At the expiration of the terms of the initial two Class B members, one Class B member shall be appointed by the mayor and one shall be appointed by the at-large councilmember in Post 2 in coordination with the councilmembers for Districts 5 through 8. At the expiration of the terms of the initial two Class C members, one Class C member shall be appointed by the president of council and one shall be appointed by the at-large councilmember in Post 3 in coordination with the councilmembers for Districts 9 through 12. No person shall be appointed for more than two consecutive three year terms. The membership of the commission shall reflect, as nearly as practicable, the diversity of individuals protected under this ordinance and shall be comprised without regard to race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, or gender identity. The human relation commission will cease to exist on January 1, 2006, subject to the council's authority to continue its existence.

**be amended to read:**

The human relations commission shall consist of seven members, divided into three classes-Class A, Class B, and Class C. Class A shall contain three members, and Class B and Class C shall each contain two members. After the phase-in period, members shall hold office for a three-year term staggered so that the membership terms of only one class of members shall expire each year. The initial members shall be appointed and designated



to a class by the president of the council no later than January 1, 2001. The term of office of the initial Class A members shall expire on January 1, 2002; the term of office of the initial Class B members shall expire on January 1, 2003; and the term of office of the initial Class C members shall expire on January 1, 2004. After January 1 2002, at the expiration of the terms of the initial Class A members, one Class A member shall be appointed by the president of council, one shall be appointed by the Mayor and one shall be appointed by the at-large councilmember in Post 1 in coordination with the Councilmembers for Districts 1 through 4. At the expiration of the terms of the initial two Class B members, one Class B member shall be appointed by the mayor and one shall be appointed by the at-large councilmember in Post 2 in coordination with the councilmembers for Districts 5 through 8. At the expiration of the terms of the initial two Class C members, one Class C member shall be appointed by the president of council and one shall be appointed by the at-large councilmember in Post 3 in coordination with the councilmembers for Districts 9 through 12. **At least one of the commission members appointed by the president of the council shall possess, in addition to the general qualifications set out in the Charter regarding members of the commission, a license to practice law in the state of Georgia and shall be an active member of and in good standing with the State Bar of Georgia.** No person shall be appointed for more than two consecutive three year terms. The membership of the commission shall reflect, as nearly as practicable, the diversity of individuals protected under this ordinance and shall be comprised without regard to race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, or gender identity. The human relation commission will cease to exist on January 1, 2006, subject to the council's authority to continue its existence.

**Section 3:** Section Sec. 94-38. which reads:

Qualifications of chair. The chair of the human relations commission shall possess, in addition to the general qualifications set out in the Charter regarding members of the commission, a license to practice law in the state. The chair shall be an active member of the state bar in good standing.”

**be deleted in its entirety, and that the following subsections be renumbered accordingly.**

**Section 4:** All ordinances and parts of ordinances in conflict herewith are hereby repealed.

A true copy,  
  
Municipal Clerk, CMC

**ADOPTED** by the Council  
**APPROVED** by the Mayor

October 4, 2004  
October 8, 2004

RCS# 6116  
10/04/04  
4:29 PM

Atlanta City Council

Regular Session

04-O-1729            AMEND 94-10 & 94-38 HUMAN RELATIONS COMM  
                      TO AUTHORIZE ELECTION CHAIR DELET QUAL  
                      ADOPT ON SUB

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 2

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	B Shook	B Maddox	NV Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

04-O-1729

10-04-04 Council Meeting		
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1418	38. 04-R-1683	60. 04-R-1705
2. 04-O-1441	39. 04-R-1684	61. 04-R-1706
3. 04-O-1565	40. 04-R-1685	62. 04-R-1707
4. 04-O-1567	41. 04-R-1686	63. 04-R-1708
5. 04-O-0438	42. 04-R-1687	64. 04-R-1709
6. 04-O-1507	43. 04-R-1688	65. 04-R-1710
7. 04-O-1559	44. 04-R-1689	66. 04-R-1711
8. 04-O-1572	45. 04-R-1690	67. 04-R-1712
9. 04-O-1582	46. 04-R-1691	68. 04-R-1713
10. 04-O-1728	47. 04-R-1692	69. 04-R-1714
11. 04-O-1732	48. 04-R-1693	70. 04-R-1715
12. 04-R-1655	49. 04-R-1694	71. 04-R-1716
13. 04-R-1421	50. 04-R-1695	72. 04-R-1717
14. 04-R-1668	51. 04-R-1696	
15. 04-R-1719	52. 04-R-1697	
16. 04-R-1487	53. 04-R-1698	
17. 04-R-1624	54. 04-R-1699	
18. 04-R-1673	55. 04-R-1700	
19. 04-R-1674	56. 04-R-1701	
20. 04-R-1675	57. 04-R-1702	
21. 04-R-1491	58. 04-R-1703	
22. 04-R-1659	59. 04-R-1704	
23. 04-R-1660		
24. 04-R-1661		
25. 04-R-1662		
26. 04-R-1663		
27. 04-R-1664		
28. 04-R-1665		
29. 04-R-1613		
30. 04-R-1676		
31. 04-R-1677		
32. 04-R-1678		
33. 04-R-1679		
34. 04-R-1680		
35. 04-R-1681		
36. 04-R-1682		
37. 04-R-1718		

#13  
 04-0-1729  
 (Do Not Write Above This Line)

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_

FINAL COUNCIL ACTION  
 2nd     1st & 2nd     3rd  
 Consent     V Vote     R/C Vote

AN ORDINANCE

Councilmember Natalyn M. Archibong

An Ordinance to amend Sections 94-10 and 94-38, Chapter 94 of Article II, Human Relations Commission of the Code of Ordinances of the City of Atlanta so as to authorize the Commission to elect its chairperson; to delete the qualification therefor; and for other purposes

ADOPTED BY

OCT 04 2004

SUBSTITUTE COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 9/20/04

Referred To: CD/HR

Date Referred \_\_\_\_\_

Referred To: \_\_\_\_\_

Date Referred \_\_\_\_\_

Referred To: \_\_\_\_\_

Committee \_\_\_\_\_  
 Date 9-29-04  
 Chair \_\_\_\_\_  
 Action \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_

Members \_\_\_\_\_  
 Other \_\_\_\_\_

Refer To \_\_\_\_\_  
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Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

CERTIFIED  
 OCT 04 2004  
 ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED  
 OCT 04 2004  
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED  
 OCT 08 2004  
 MAYOR