



EAST LANSING AGENDA

Human Rights Commission Meeting

7:00 PM - Monday, June 8, 2026

Hannah Community Center

Public Comment - Email: wyaney@cityofeastlansing.com

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1. OPENING	
<i>"The City of East Lansing occupies the ancestral, traditional and contemporary lands of the Anishinaabeg – Three Fires Confederacy of Ojibwe, Odawa and Potawatomi peoples land ceded in the 1819 Treaty of Saginaw"</i>	
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6.2. Discussion of Received Complaints	
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HRC 2026 VALUES

- Protect and Promote Federal and State Constitutional Rights
- Serve as a Community Connector and Resource
- Integrate Human Rights into City Operation



MINUTES

Human Rights Commission Meeting

7:00 PM - Monday, May 11, 2026
Hannah Community Center

The Human Rights Commission of the City of East Lansing was called to order on Monday, May 11, 2026, at 7:00 PM, in the Hannah Community Center, with the following members present:

1. OPENING

"The City of East Lansing occupies the ancestral, traditional and contemporary lands of the Anishinaabeg – Three Fires Confederacy of Ojibwe, Odawa and Potawatomi peoples land ceded in the 1819 Treaty of Saginaw"

1.1 Roll call

PRESENT:

Tina Farhat
Matthew Boughton
Kayla Gomez
Joshua Hewitt
Karen Hoene
Rebecca Kasen
Thasin Sardar

1.2 Approval of the agenda for May 11, 2026

Motion by Boughton, second by Hoene.

Boughton made motion to suggest two amendments: Would like to add item 2.5 "Communication from Commissioner Hoene to Belleman" as well as item 6.3 "Seeking Outside Council".

Second by Hoene. All ayes to accept the additions.

Farhat made motion to add item 6.4 "Address Discrimination Complaints Recently Received". Second by Gomez. All ayes, motion carries.

Motion to approve the amended agenda by Hoene, second by Kasen. All ayes, motion carries.

1.3 Approval of minutes

Motion by Hoene, second by Kasen. All ayes, motion carries.

1.4 Discussion and Election

Farhat advised that the commission needs to elect a new Chair and called for nominations.

Kasen nominated Hoene, second by Boughton. Hoene accepted the nomination.
Farhat called for nominations 2 more times, no further nominations were made.
All ayes, Hoene is the new Chair for the remainder of the term.

2. COMMUNICATIONS

Pursuant to MCL 15.263(1) public comment is limited to 5 minutes per individual for today's meeting

2.1 Public Comment

Nadia Sellers: Stated she was present at the meeting tonight with her son Lonnie and Kelly Woods and her son Mason. Spoke on the impact of not having answers or action, on the young men and the families as well as how a decision from the HRC on the complaints they filed will effect the families afterwards. Asked Grigsby to represent and support the young men and the commission.

Sade Sellers: Ms. Sellers is one of the older sisters of Lonnie and was joined by his other big sister. Advised that last fall, she had made a tik tok to bring attention to the events of Welcome Weekend. Made a statement regarding her brother and stated that she wanted to bring humanity to him and the situation. Stated that she would like to see this brought to an end.

2.2 Written Communication

Hoene advised that attached is a response to the commission from City Manager, Robert Belleman.

Yaney advised that 3 complaints were recently received. Two had to do with housing complaints within city limits and the other was regarding use of excessive force from the police which occurred outside of the time limitation. These will be discussed further during item 6.4.

2.3 Commissioner Comment

2.4 Staff and Council Report -Discuss Lansing Empowerment Network Presentation

Grigsby advised that Michael Lynn from the Lansing Empowerment Network is interested in coming to do a presentation to the commission. Grigsby advised he has worked with Mr. Lynn in the past. Hoene advised they can put this on the June agenda to discuss after they receive the information regarding Mr. Lynn's work and presentation.

Yaney shared some highlights across the city that correspond with the HRC's mission to shared the city's continuing work to be inclusive.

Hoene asked about the status of the posting for the commission's vacancies. Yaney advised that as of now, had 1 application and now that a new chair has been elected, can work with Hoene and the liaisons to coordinated interviews of applicants.

2.5 Communication from Hoene to Belleman

Hoene read her email communication to City Manager Belleman out loud. Advised that it was sent to the City Manager on May 4, 2026 and as of tonight's meeting, had not received a response.

[Hoene Letter to Belleman 05-04-26](#)

3. CLOSED SESSION

A closed session to discuss and consult with the City's attorneys regarding privileged and confidential attorney-client legal correspondence that is exempt from disclosure by state law, as allowed under subsection 8(1)(h) of the Michigan Open Meetings Act.

3.1 Discussion about going into closed session

Hoene asked if there was a motion to move into closed session. Motion by Boughton, second by Farhat.

The commission discussed whether they wanted to go into closed session and the reasons for why or why not.

Vote to go into closed session:

Ayes: Farhat, Boughton, Sardar

Nay: Gomez, Hewitt, Hoene, Kasen

The commission did not go into closed session

The commission asked assistant city attorney Patel about the commission pursuing outside legal counsel. Patel advised they would have to go to city council to ask permission to get outside counsel or legal advice. Boughton and Hoene requested the written ordinance or law that prohibits the commission from seeking legal counsel outside, or that requires they go to city council to get permission. Patel advised she will look for that and respond via memo that would be sent to the staff liaison to pass on to the commission.

Farhat asked Patel further questions to see if she was able to answer any without going into closed session. Patel advised she could answer the questions presented by the commission in a legal memo and those could be further discussed in a closed session.

4. COMMITTEE REPORTS

4.1 Welcome Weekend Complaint

Hoene read a statement regarding findings from the commission. Hoene advised that at the last commission meeting, commissioners had voted on the finding. Hoene then read the findings aloud.

Kasen advised that she volunteers with the Honey Bear Project and has for the past month, doing grant writing. Advised that does not receive any money from them or know Mr. Smith from there. Work there doesn't have anything to do

with the HRC or the complaints. Kasen will recuse herself from this vote just to be safe.

-Motion by Farhat that Kasen recuse herself from vote, second by Gomez. All ayes, motion carried.

Hoene reviewed the complaint process regarding the welcome weekend complaints.

Motion to reaffirm the findings by Boughton, second by Gomez.

Aye: Farhat, Hoene, Hewitt, Boughton, Gomez, Sardar

Nay:

Abstained: Kasen

-Motion carries.

Discussion about what the commission is asking for as next step. Patel asked that the commission table the action until can give legal counsel on what action the commission can take.

Motion to send an email with the findings and report, to the City Manager Chief Brown and Mayor Altmann and advise that have reaffirmed the findings and would like to move to next steps to remediate with someone authorized to remediate and negotiate on behalf of the ELPD. The commission would like a response within 5 business days (May 18, 2026). A lack of response will be interpreted as a refusal to participate in remediation.

-Second by Boughton. Ayes from everyone but Kasen who abstained. Motion passes.

4.2 Complaint Procedure Committee

Nothing to report.

5. OLD BUSINESS

5.1 None.

6. NEW BUSINESS

6.1 Discussion on Creation of an Equity Ordinance

-Equity Ordinance to ensure equitable enforcement of new and existing city ordinances

Hoene broached the idea and inquired on the commissioners interest in writing an Equity Ordinance to submit to city council for approval. Would like to look at creating a sub-committee that works with Grigsby to create the draft.

Hoene stated that her idea for the ordinance would that there would be an equity check every 6 months for any ordinances that the city has and if there was inequity found, work to find a way to correct.

Boughton advised, would like to have money set aside to have a study done

that looks at how East Lansing city ordinances do or might affect disadvantaged or protected class community members. Kasen expressed interest in this but advised that due to city budget concerns, that may not be feasible right now. Boughton suggested reaching out to the East Lansing Independent Police Oversight Commission to see if they would be interested on partnering on the creation of an ordinance.

Grigsby expressed interest in the creation of an ordinance and is supportive but did advise would not be able to commit a lot of time currently to help. Advised that if the commission does some further groundwork to build the idea, including researching if a similar ordinance has been passed in another municipality, would be supportive.

Discussion will continue during the June meeting.

6.2 Statement of Appreciation and Thanks to DEI Director and Former Liaison Elaine Hardy

Hoene advised that would like to craft a formal letter of appreciation for former liaison Elaine Hardy. Hoene will create an initial draft and send to commissioners for any additional content they would like to add or contribute.

6.3 Seeking Outside Council

Boughton advised he has concerns about the city attorneys both representing the city and the commission. Advised it appears to him to be a conflict of interest.

Kasen suggested waiting for the memo back from Patel as well as looking at the budget. It was decided to wait until get the memo back from Patel.

6.4 Address Discrimination Complaints Recently Received

1. Use of Excess Force from August
2. Housing – Mental Health Disability Discrimination
3. Housing- Discrimination against people whom are Muslim. This complaint was submitted by the MSU Inclusion department

Hoene asked that Yaney follow up with complainants and advise that complaints must be submitted by the complainant and be notarized. Hoene also stated that because the first complaint is outside of the 150 day time limit, to send a response to them advising of that.

7. ADJOURNMENT

- 7.1** Motion by Boughton, second by Gomez.
Adjourned at 9:30pm

From: Karen Hoene
Sent: Monday, May 4, 2026 9:27:02 PM
To: rbelleman@cityofeastlansing.com <rbelleman@cityofeastlansing.com>
Subject: HRC Staff Liaison Removal

Dear Mr. Belleman,

On behalf of the East Lansing Human Rights Commission, we would like to formally express our deep concern regarding the sudden removal of Ms. Elaine Hardy as the staff liaison to the East Lansing Human Rights Commission (HRC).

Ms. Hardy has served this commission with distinction, providing the institutional knowledge and civil rights expertise necessary to navigate complex issues. Her abrupt replacement by personnel from the Human Resources department—who lack specific experience with the HRC’s unique mandate—raises serious questions about the city’s commitment to both the Commission and the city’s civil rights ordinance.

During her years as the staff liaison to the HRC, Ms. Hardy has demonstrated her commitment to our mission by regularly attending our Coffee and Conversations, which occur outside of work hours. She has always been timely and responsive to our questions, needs and feedback. She has provided knowledge and expertise about the history and evolution of the HRC based on her 25 years of leadership in the city of East Lansing. Under her leadership, the Dr. Martin Luther King Jr. Commission of Mid Michigan has been a source of national pride, providing over \$100,000 in scholarships, more than \$60,000 in grants to community service agencies, sponsoring the Y-Achievers annual HBCU tour, and bringing countless civil rights speakers and entertainers to the annual MLK Jr. Luncheon, the largest celebration of its kind in the country. Under her leadership, the Diversity, Equity and Inclusion Department has drafted numerous resolutions and ordinances to recognize the contributions to our community by historically marginalized populations, including but not limited to a resolution declaring racism a public health crisis in East Lansing, a resolution recognizing Juneteenth in the city of East Lansing, a resolution acknowledging Indigenous People's Day, a resolution acknowledging Hispanic Heritage Month, a resolution celebrating Women's History Month and a resolution acknowledging Autism Awareness Month.

The timing of this decision is particularly troubling. Coming immediately after the HRC's transparent and public decision to maintain an open session regarding the ELPD investigation, Ms. Hardy's removal bears the hallmarks of retaliation. While personnel assignments are within your purview, the optics of this move suggest an attempt to penalize the HRC for its independence, as well as one of the few women of color in a position of authority in the city's government. Furthermore, if Ms. Hardy was removed in response to the HRC's actions, targeting her is entirely unjustifiable, given that she was in no way involved in, nor aware of, the Commission's decision to decline the closed session. Holding a staff member accountable for the independent actions of a volunteer commission is a clear overreach of administrative authority and norms.

We request a formal explanation for the following:

1. **The Rationale:** What specific operational need necessitated the immediate removal of a seasoned liaison in the midst of an active investigations?
2. **The Selection Process:** Why was a replacement chosen who lacks a background in civil rights advocacy or commission-liaison experience?
3. **Conflict of Interest:** How does the city plan to ensure the HRC remains an independent oversight body if its staffing is subject to sudden changes following disagreements with city administration?

The HRC exists to protect the dignity of all East Lansing residents. That mission requires a liaison who is a trusted, experienced advocate. We strongly urge you to reinstate Elaine Hardy to her position to restore public confidence and ensure the HRC can continue its vital work without fear of administrative interference.

We look forward to your prompt response.

Sincerely,

Karen Hoene and Matthew Boughton

East Lansing HRC



MINUTES

Human Rights Commission Meeting

7:00 PM - Wednesday, May 27, 2026

Hannah Community Center - 819 Abbot Road, East Lansing, MI 48823

The Human Rights Commission of the City of East Lansing was called to order on Wednesday, May 27, 2026, at 7:00 PM, in the Hannah Community Center - 819 Abbot Road, East Lansing, MI 48823, with the following members present:

1. OPENING

"The City of East Lansing occupies the ancestral, traditional and contemporary lands of the Anishinaabeg – Three Fires Confederacy of Ojibwe, Odawa and Potawatomi peoples land ceded in the 1819 Treaty of Saginaw"

1.1 Roll call

PRESENT:

Karen Hoene
Matthew Boughton
Kayla Gomez
Joshua Hewitt
Rebecca Kasen

ABSENT:

Tina Farhat (Excused)
Thasin Sardar (Excused)

1.2 Approval of the agenda for May 27, 2026

Motion by Boughton, second by Gomez.

Kasen asked to amend Item 2, to remove the word "Citizens" and to also add item 2.2, "Commissioner Comments". Amendment accepted.

All ayes, motion carries.

2. COMMUNICATIONS

2.1 Public Comment

None.

2.2 Commissioner Comments

Gomez advised was invited to a Citizens for Justice conversation with City Manager Belleman yesterday and reported that the group asked him some questions regarding the Welcome Weekend incident as well as regarding Chief Brown.

Gomez noted that they also asked about when the decision was made to make changes to the HRC ordinance and why changes to the ordinance were recommended.

Hoene apologized for the date of tonight's meeting occurring on Eid, and apologized for it falling on an established holiday due to scheduling issues.

Grigsby advised that he most likely won't be present for whole meeting
-Motion by Kasen, second by Gomez to move item 6.1, "Discuss HRC ORdinance" up and make it 3.1 and then make current 3.1, "Discuss Next Steps", to 3.2 so that Grigsby will be present.
All ayes, motion carries.

3. WELCOME WEEKEND COMPLAINT

3.1 ADD ON: Discuss HRC Ordinance

Gomez noted that at the meeting with Belleman yesterday, it was pointed out that the HRC is not the only HRC in the state and that the other commissions have similar ordinances and scope.

Kasen stated the need for the HRC to have separate legal counsel from the city attorney. Hoene agreed and would like to request that city council add to their agenda a request from the HRC that they would like city council to find them separate legal counsel. Grigsby advised that he would agree to that item being added, and that the commission would need another council member agree to have it added to a council agenda.

Motion by Boughton that the Human Rights Commission officially inform council of a request for independent legal counsel, separate from the city attorney's office. Second by Gomez. All ayes, motion carries.

-An amendment was made to add on: The Human Rights Commission requests that there be input from the HRC on who that independent counsel would be.

Second by Gomez. All ayes, motion carries.

Hoene gave some examples for why there is mistrust with the city attorney's office. Hoene noted that in November, attorney Young was present when the commission created the sub-committee to investigate the Welcome Weekend Complaint. Also noted that the commission has been advised that the actions the commission have been taking violate their ordinance but from her own review of the ordinance, that is not correct.

Gomez agreed with Hoene's sentiment that it feels like there has been retaliation and advised she has created a timeline since receiving the Welcome Weekend Complaint that shows the action from the HRC and the responding action from the city. Hoene read the timeline aloud. Kasen also agreed with the sentiments of retaliation and bullying.

The commissioners expressed further concerns with things that have happened.

Hoene advised that had sent Attorney Patel a list of questions from Farhat to be answered- 5 questions with a couple sub-questions. Patel advised she would answer as many as she could or as much as she can without breaking privileges. Patel answered the questions she received as well as additional questions from commissioners present.

Hoene asked if the city attorney's involved in the proposed amendments to the ordinance would be willing to sit down with the commission and discuss and get input from the commission and the community. Hoene suggested a public hearing so that the process would be public and allow for public input and be as transparent as possible. Would like to ask that no changes be made prior to being able to have a public forum.

The commission also asked "why now" in regards to the proposed changes to the HRC ordinance. Patel answered that she was not involved in the "why now" conversation, so does not have that answer. Patel was asked who was involved in the decision to make these changes, but advised she did not have that information. Gomez suggested that the commission FOIA that information. Hoene advised the commission should not have to FOIA the information and asked the council liaison or city attorney to provide it as a sign of respect.

Patel did advise that if the amendments to the ordinance are passed, any complaints that are accepted by the HRC prior, would fall under the guidelines of the current/old ordinance.

Hoene asked that the HRC hold a public forum during their June 8, 2026 regular meeting to gather community input on the proposed changes to the ordinance.

The commission noted that this process seems to be moving quite quickly and had there not been a request to delay the second reading at last night's council meeting, the second reading and vote would be next week- before the HRC's next regular meeting, which means they would not have had a chance to discuss any counterproposals to the amendments. The commission expressed frustration and feeling that if the city council wanted the commissions feedback, they would have asked them before they put it on the May 26th agenda and the 2nd reading originally scheduled for June 2nd.

3.2 Discuss Next Steps

Boughton advised that Section 22-38, Subsection D of the current HRC ordinance provides the order that the commission should follow in the complaint process. Subsection G advises on next steps if the attempt for mediation fails and the available options for remediation. Boughton advised that he would like to follow the ordinance to the letter and follow those guidelines.

Hoene reviewed the requests of the complainants. The commission then

discussed which of the options of subsection H could be applied to the complaints and requests.

1. Require release of the full unedited video footage
2. Order a public retraction and correction of the press statements
3. Review and reform pepper spray and use of force policies.
4. Require Civil Rights Implicit Bias training, as determined by the DEI Department, for the entire department
5. Offer mediation or restorative accountability conference
6. Refer the matter to the Michigan Attorney General and/or the US Department of Justice
7. Monetary compensation of \$50,000 to Mr. Smith and Mr. Woods for medical costs, attorney fees, loss of reputation, loss of job opportunities, as well as payment for any ongoing expenses such as medical, mental health services, legal expenses.
8. A public posting in City hall and the East Lansing Police Department, retracting the statements about Mr. Woods and Mr. Smith, an apology, as well as including that they were found in violation of the East Lansing Civil Rights Ordinance, by the Human Rights Commission.

Motion by Gomez to accept the remediation discussed, second by Hewitt. Kasen abstained. Ayes: Gomez, Boughton, Hewitt, Hoene. Motion carried.

4. CLOSED SESSION

A closed session to discuss and consult with the City's attorneys regarding privileged and confidential attorney-client legal correspondence that is exempt from disclosure by state law, as allowed under subsection 8(1)(h) of the Michigan Open Meetings Act.

- 4.1 Hoene asked if there was a motion to move into closed session. No motion made after 3 calls. The commission did not enter closed session.

5. RETURN TO OPEN SESSION

6. NEW BUSINESS

7. ADJOURNMENT

- 7.1 Motion by Boughton, second by Gomez. All ayes, motion carries. Adjourned at 8:46pm



Regular Council **AGENDA ITEM REPORT**

To: City Council

Subject: Introduction of Ordinance No. 1578 amending Chapter 2 - "Administration," Article V. - "Boards and Commissions," Division 6. - "Human Relations Commission," and Chapter 22 - "Human Relations," Article II. - "Civil Rights"; refer to Human Rights Commission for its review; and refer to the June 2, 2026, Regular Session for consideration and possible adoption.

Meeting: Regular Council - 26 May 2026

Department: City Manager

Staff Contact: Robert Belleman, City Manager

BACKGROUND INFORMATION:

The City Attorney was requested to review Chapters 2 and 22 of the City Code of Ordinances relating to the City's Human Relations Commission for possible legal issues and conflicts with state and federal law—including the delegation of judicial authority, due process, standards of review, conflicts with other reviewing agencies, conflicts with City Council authority, conflicts with existing City Charter delegation of authority, conflicts with City labor contracts and human relations policies and procedures—and to recommend ordinance changes that address such possible conflicts.

Attached is a draft of Ordinance No. 1578 that identifies specific and limited changes to Chapter 2 - "Administration," Article V - "Boards and Commissions," and Chapter 22 - "Human Relations," Article II - "Civil Rights," to address the concerns and issues that have been identified, and to also provide for funding to be budgeted for the Human Relations Commission to provide mediation for complaints, remove the requirement for complaints to be notarized, and bring the ordinance in line with a recent court ruling finding the biased crime reporting section to be unconstitutional.

FINANCIAL IMPACT:

The financial implications of Ordinance No. 1578 is the costs associated with City Attorney's time and publication, if adopted.

STRATEGIC PRIORITIES:

The introduction of Ordinance No. 1578 aligns with City Council's 2024 and 2025 Strategic Priorities Goal 2, "Remain a responsive municipality by ensuring local laws and policies are relevant and increase input from all stakeholders."

This proposed ordinance is being referred.

RECOMMENDATION:

Move to introduce Ordinance No. 1578 amending Chapter 2 - "Administration," Article V. - "Boards and Commissions," Division 6. - "Human Relations Commission," and Chapter 22 - "Human Relations," Article II. - "Civil Rights"; refer to Human Rights Commission for its review; and refer to the

June 2, 2026, Regular Session for consideration and possible adoption.

ATTACHMENTS:

[HRC Ordinance Amendment \(v3tracked\)](#)

[Public Summary of Law Reasons for Ordinance Amendments](#)

CITY OF EAST LANSING, MICHIGAN

ORDINANCE NO. 1578

AN ORDINANCE TO AMEND THE EAST LANSING CITY CODE OF ORDINANCES, FOR PURPOSES OF AMENDING CHAPTER 2, “ADMINISTRATION,” ARTICLE V, “BOARDS AND COMMISSIONS,” DIVISION 6, “HUMAN RELATIONS COMMISSION,” AND CHAPTER 22, “HUMAN RELATIONS,” ARTICLE II, “CIVIL RIGHTS.”

The City of East Lansing Ordains:

Section 1 of Ordinance. Code Amendment.

Chapter 2, Article V, Division 6, Section of the East Lansing City Code of Ordinances is amended to read as follows:

**Chapter 2 – ADMINISTRATION
ARTICLE V. BOARDS AND COMMISSIONS
DIVISION 6. HUMAN RELATIONS COMMISSION**

Sec. 2-361. Purpose; membership.

The human rights commission of the City of East Lansing is hereby created to implement the civil rights ordinance of the city regarding the enjoyment of civil rights and to enhance the provisions of the civil rights ordinance as set forth in this Code. The human rights commission shall consist of members who shall be representative of the population of the city, especially those groups protected by the civil rights ordinance, and shall, to the extent possible, include one or more residents of areas where significant amounts of community development activity are proposed or ongoing and one or more residents with a background or training in mediation, facilitation, or dispute resolution.

Sec. 2-362. Duties.

The human rights commission shall:

- (1) Protect and promote human dignity and respect for the rights of all individuals and groups within the city;
- (2) Study problems arising between groups or individuals in the city which may result in tensions, discrimination, or harassment on account of religion, race, color, national origin, age, height, weight, disability, sex, marital status, sexual orientation, gender identity or expression, student status, or because of the use by an individual of adaptive devices or aids;
- (3) Issue reports and make recommendations to the city council based upon its studies and findings from public hearings;
- (4) Formulate and carry out programs of community education, by itself or in cooperation with other agencies, organizations, or associations, public and private, for the purpose

of discouraging and eliminating any such tensions, discrimination, harassment, or prejudice;

- (5) Review the status of social services provided to East Lansing residents, including the nature, quality, effectiveness, availability, and accessibility thereof. To this end, the commission shall maintain a liaison with appropriate local, county, and state government agencies, as well as private community service organizations;
- (6) Make recommendations concerning programs, and seek the establishment of programs that will provide a better quality of life in the areas of mental health and general health services, substance abuse services, and other services for the various populations of the city;
- (7) Establish procedures to mediate disputes between individuals, neighbors, and groups within the city which arise from discrimination contrary to the rights set forth in chapter 22, article II of this Code or any rules promulgated pursuant to this Code, or from tensions or prejudice;
- (8) Establish and implement procedures to receive and review complaints alleging a violation of chapter 22, article II of this Code, ~~initiate, investigate, mediate, conciliate, adjust, dispose of, issue orders,~~ hold hearings on such complaints, ~~and make determinations on referring such complaints for mediation or to federal or state administrative agencies or courts,~~ as provided in section 22-38 of this Code ~~alleging a violation of chapter 22, article II of this Code or any rules promulgated pursuant to this Code~~;
- (9) Recommend to the city council measures, including legislation, directed toward improving human relations within and among the various population groups of the city; and
- (10) Work with other units of government to meet the commission's duties and responsibilities and accomplish its goals

Secs. 2-363—2-380. Reserved.

Section 2 of Ordinance. Code Amendment.

Chapter 22, Article II, of the East Lansing City Code of Ordinances is amended to read as follows:

Chapter 22 – HUMAN RELATIONS ARTICLE II. CIVIL RIGHTS

Sec. 22-31. Public policy.

It is hereby declared to be contrary to the public policy of the City of East Lansing for any person to deny any other person the enjoyment of his/her civil rights or for any person to discriminate against any other person in the exercise of his/her civil rights or to harass any person because of religion, race, color, national origin, age, height, weight, disability, sex,

marital status, sexual orientation, gender identity or expression, student status, or because of the use by an individual of adaptive devices or aids.

Sec. 22-32. Definitions.

The following words, terms and phrases, when used in this article or in policies or guidelines implementing this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Age means chronological age, except as otherwise provided by law.

Commission means the East Lansing Human Rights Commission.

Contractor means a private person or business that has entered into a contract with the city to provide goods or services to the city.

Disability means that term as defined at section 103(d) of the Persons With Disabilities Civil Rights Act, Public Act No. 220 of 1976 (MCL 37.1103(d)).

Gender identity or expression means a person's actual or perceived gender, including a person's self-image, appearance, expression, or behavior, whether or not that self-image, appearance, expression, or behavior is different from that traditionally associated with the person's biological sex as assigned at birth.

General business practice means the typical, standard or usual manner in which a person or entity performs or habitually engages in the operation of a particular aspect of its business; or the customary action a person or entity takes in the operation of its business.

Marital status means being single, divorced, widowed, separated or married, and the conditions associated therewith, including pregnancy and parenthood.

National origin includes the national origin of an ancestor, and shall include persons who are not naturalized citizens.

Race includes traits historically associated with race, including, but not limited to, hair texture and protective hairstyles. For purposes of this definition, "protective hairstyles" includes, but is not limited to, such hairstyles as braids, locks, twists, and knots.

Sex includes, but is not limited to, pregnancy, childbirth, or a medical condition related to pregnancy, or childbirth. Discrimination because of sex includes sexual harassment which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of sexual nature when:

- (1) Submission to such conduct or communication is made a term or condition either explicitly or implicitly to obtain employment, public accommodations or public services, education, or housing.

- (2) Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting such individual's employment, public accommodations or public services, education, or housing.
- (3) Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodations or public services, education, or housing; or creating an intimidating, hostile, or offensive employment, public accommodation, public service, educational or housing environment.

Sexual orientation means being or regarded as being heterosexual, homosexual, bisexual, or having a history of such identification.

Student status refers to a person enrolled in an educational institution recognized by the State of Michigan in pursuit of a recognized degree.

To harass means to have physical conduct or communication which refers to an individual protected under this article, when such conduct or communication has the effect of substantially interfering with an individual's employment, public accommodations or public services, education, or housing, or creating a hostile employment, public accommodations, public services, educational, or housing environment.

Sec. 22-33. Employment.

- (a) As used in this section:

Employer means a person who has one or more employees and includes any agent of that person.

Employment agency means a person regularly undertaking, with or without compensation, to procure, refer, recruit, or place an employee for an employer, or to procure, refer, recruit, or place for an employer or person the opportunity to work for an employer and includes any agent of that person.

Labor organization includes an organization of any kind, an agency or employee representation committee, group, association, or plan in which employees participate and which exists for the purpose, in whole or in part, of dealing with employees concerning grievances, labor disputes, wages, rate of pay, hours, or other terms or conditions of employment.

- (b) It is unlawful for an employer to:
 - (1) Limit, segregate, classify, fail or refuse to hire, to recruit, to discharge, or otherwise discriminate against an individual with respect to employment, compensation, or a term, condition, or privilege of employment, including a benefit plan or system, because of religion, race, color, national origin, age, disability, sex, height, weight,

marital status, sexual orientation, gender identity or expression, or student status, or because of the use by an individual of adaptive devices or aids.

- (2) Fail or refuse to hire, recruit, or promote an individual on the basis of physical or mental examinations that are not directly related to the requirements of the specific job.
 - (3) Discharge or take other discriminatory action against an individual on the basis of physical or mental examinations that are not directly related to the requirements of the specific job.
 - (4) Fail or refuse to hire, recruit, or promote an individual when adaptive devices or aids may be utilized thereby enabling that individual to perform the specific requirements of the job.
 - (5) Discharge or take other discriminatory action against an individual when adaptive devices or aids may be utilized thereby enabling that individual to perform the specific requirements of the job.
 - (6) Discriminate against a person with respect to hire, tenure, terms, conditions, or privileges of employment because of an arrest, detention, or disposition of a violation of a misdemeanor, felony, or local ordinance substantially corresponding to state law, when a conviction did not result, other than employment by a law enforcement agency. This prohibition shall not apply to persons who have been convicted of a crime constituting a sexual offense, which shall include criminal sexual conduct in any degree, or a child abusive commercial activity, or child cruelty or child torture, or any act of violence against a child, or attempts to commit such offenses and who are employed or seeking employment with a licensed child care center or child caring institution, or who are employed or seeking employment with a licensed foster care facility or a facility contracted with by the community mental health board, or to persons who are employed or seeking employment with any business licensed by the city if the person will be in direct contact alone with a child or children. This section shall not apply to information relative to a felony charge before a charge is dismissed in cases where the charges involve a child victim or a mentally ill victim or a developmentally disabled victim and are still pending.
 - (7) Make, keep, or use an oral inquiry, form of application, or record that elicits or attempts to elicit information concerning the religion, race, color, national origin, age, disability, sex, height, weight, marital status, sexual orientation, gender identity or expression, student status or because of the use by an individual of adaptive devices or aids except where applicable under federal and state law, or local ordinance.
- (c) An employer, labor organization, or employment agency shall not print, circulate, post, mail, or otherwise cause to be published a statement, advertisement, notice, or sign relating to employment by the employer, or relating to membership in or a classification or referral for employment by the labor organization, or relating to a classification or referral for employment by the employment agency, which indicates a preference, limitation,

specification, or discrimination, based on religion, race, color, national origin, age, disability, sex, height, weight, marital status, sexual orientation, gender identity or expression, student status or use by an individual of adaptive devices or aids.

- (d) This section shall not apply to the employment of an individual by his/her parent, spouse, or child.
- (e) A person subject to this section may apply to the commission for an exemption on the basis that religion, national origin, age, sex, height, weight, marital status, sexual orientation, gender identity or expression, or student status is a bona fide occupational qualification reasonably necessary to the normal operation of the business or enterprise. Upon sufficient showing, the commission may grant an exemption to this section. An employer who does not obtain an exemption for such bona fide occupational qualification shall have the burden of establishing that the qualification is reasonably necessary to the normal operation of the business.
- (f) An individual seeking employment shall not publish, or cause to be published, a notice or advertisement that specifies or indicates the individual's religion, race, color, national origin, age, sex, height, weight, marital status, disability, sexual orientation, gender identity or expression, student status, use by an individual of adaptive devices or aids, or expresses a preference, specification, limitation, or discrimination as to the religion, race, color, national origin, age, disability, height, weight, sex, marital status, sexual orientation, gender identity or expression, student status or use by an individual of adaptive devices or aids of a prospective employer.
- ~~(g) A contract to which the city, a political subdivision, or an agency thereof, is a party shall contain a covenant by the contractor and his/her subcontractors not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, including a benefit plan or system or a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, marital status, disability, sexual orientation, gender identity or expression, student status or use by an individual of adaptive devices or aids. Breach of this covenant may be regarded as a material breach of the contract.~~
- (hg) This section is also applicable to labor organizations, employment agencies, apprenticeships, and job training programs. In addition, a labor organization shall not discriminate in its membership practices nor fail to fairly represent its membership in a grievance process because of religion, race, color, national origin, age, disability, sex, height, weight, marital status, sexual orientation, gender identity or expression, student status or use by an individual of adaptive devices or aids.

Sec. 22-34. Housing.

- (a) As used in this section:

Housing accommodation includes improved or unimproved real property, or a part thereof, which is used or occupied, or is intended, arranged, or designed to be used or occupied, as the home or residence of one or more persons.

Real estate broker or salesperson means a person, whether licensed or not, who, for or with the expectation of receiving a consideration, lists, sells, purchases, exchanges, rents, or leases real property; negotiates or attempts to negotiate any of those activities; who holds himself/herself out as engaged in those activities; who negotiates or attempts to negotiate a loan secured or to be secured by a mortgage or other encumbrance upon real property; who is engaged in the business of listing real property in a publication; or a person employed by or acting on behalf of a real estate broker or salesperson.

Real estate transaction means the sale, exchange, rental, or lease of real property, or an interest therein.

Real property includes a building, structure, mobile home, real estate, land, mobile home park, trailer park, tenement, leasehold, or an interest in a real estate cooperative or condominium.

- (b) The opportunity to purchase, lease, sell, hold, use, and convey dwelling houses or dwelling units or engage in any other type of real estate transaction as protected in this section or under state and federal law is hereby recognized and declared to be a civil right. This includes, but is not limited to seeking, inspecting, advertising, offering, or listing of real property without discrimination because of religion, race, color, national origin, age, height, weight, disability, sex, marital status, sexual orientation, gender identity or expression, student status, use of adaptive devices or aids, or legal source of income, except with respect to age or income only, where necessary to meet the requirements of federal, state, or local programs.
- (c) It shall not be a violation of this section for the owner of an owner-occupied, one-family dwelling to restrict occupancy in the rental unit, or to the rental of a housing accommodation for not more than 12 months by the owner or lessor where it was occupied by him/her for at least three months immediately preceding occupancy by the tenant and is temporarily vacated while maintaining legal residence.
- (d) A person to whom application is made for financial assistance or financing in connection with a real estate transaction or in connection with the construction, rehabilitation, repair, maintenance, or improvement of real property, or a representative of that person, shall not:
 - (1) Discriminate against the applicant because of the religion, race, color, national origin, age, height, weight, disability, sex, marital status, sexual orientation, gender identity or expression, student status, legal source of income, or the use by an individual of adaptive devices or aids of the applicant or a person residing with the applicant.
 - (2) Use a form of application for financial assistance or financing or make or keep a record of inquiry in connection with an application for financial assistance or financing which indicates, directly or indirectly, a preference, limitation, specification, or

discrimination as to the religion, race, color, national origin, age, height, weight, disability, sex, marital status, sexual orientation, gender identity or expression, student status, source of legal income, or the use by an individual of adaptive devices or aids of the applicant or a person residing with the applicant, except that information relative to the age, marital status, or source of income may be obtained when necessary for the preparation of a deed or other recordable instrument or to meet the requirements of a federal, state, or local housing program.

- (3) Subsection (d)(2) of this section shall not apply to a form of application for financial assistance prescribed for the use of a lender regulated as a mortgagee under the National Housing Act, as amended, being 12 USC 1701 to 1750g (Supp. 1973) or by a regulatory board or officer acting under the statutory authority of this state or the United States.
- (e) A person shall not represent, for the purpose of inducing a real estate transaction from which the person may benefit financially, that a change has occurred or will or may occur in the composition with respect to religion, race, color, national origin, age, height, weight, disability, sex, marital status, sexual orientation, gender identity or expression, student status, use by an individual of adaptive devices or aids, or legal source of income of the owners or occupants in the block, neighborhood, or area in which the real property is located, or represent that this change will or may result in the lowering of property values, an increase in criminal or antisocial behavior, or a decline in the quality of schools in the block, neighborhood, or area in which the real property is located.
- (f) Subparagraph (b) of this section and section 22-31 of this Code do not apply, with respect to the age provisions only, to the sale, rental, or lease of housing accommodations meeting the requirements of federal, state, or local housing programs for senior citizens, or housing accommodations otherwise intended, advertised, designed, or operated, bona fide, for the purpose of providing housing accommodations for persons 55 years of age or older.

Sec. 22-35. Public accommodations or services.

- (a) *Definitions.* As used in this section:

Place of public accommodation means a business, or an educational, refreshment, entertainment, recreation, health or transportation facility, or institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.

Public service means a public facility, department, agency, board or commission, owned, operated, or managed by or on behalf of the state, a political subdivision other than the City, or an agency thereof, or a nonprofit organization, or a tax-exempt private agency established to provide service to the public.

- (b) *Prohibited practices.* Except where permitted by law, a person shall not:

- (1) Deny an individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation or public service because of religion, race, color, national origin, age, height, weight, disability, sex, marital status, sexual orientation, gender identity or expression, student status, or because of the use by an individual of adaptive devices or aids.
- (2) Print, circulate, post, mail, or otherwise cause to be published a statement, advertisement, notice, or sign which indicates that the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation or public service will be refused, withheld from, or denied an individual because of religion, race, color, national origin, age, height, weight, sex, disability, marital status, sexual orientation, gender identity or expression, or student status, or because of an individual's use of adaptive devices or aids.

Sec. 22-36. Duty to accommodate persons with disabilities.

A person shall accommodate a person with disabilities for purposes of employment, public accommodation, public service, education, or housing in a manner and to the extent required by law~~unless the person demonstrates that the accommodation would impose an undue hardship.~~

Sec. 22-36a. ~~Biased~~ False crime reporting.

No person shall knowingly and intentionally report to a City of East Lansing Police Officer, the City of East Lansing Police Department, a City of East Lansing Official or report to Ingham County 911, a complaint that a person has committed, or that the person may or will commit a crime or is otherwise acting suspiciously when such a report is false for any reason~~not based on a reasonable suspicion or fear of criminal activity, but is rather based, in significant part, on the person's race, color, or national origin.~~

Sec. 22-37. Private clubs; ~~e~~Exemptions.

This article shall not apply to a private club or other establishment not in fact open to the public, except to the extent that the goods, services, facilities, privileges, advantages, or accommodations of the private club or establishment are made available to the customers or patrons of another establishment that is a place of public accommodation, or if it is licensed, chartered, or certified by the state or any of its political subdivisions.

Sec. 22-38. Complaint process.

- (a) As used in this section, the human rights commission shall mean the whole commission or ~~the designee of the commission which may be a~~ designated subcommittee of the commission.
- (b) The human rights commission ~~may shall~~ receive, ~~and review~~ initiate, investigate, mediate, conciliate, adjust, dispose of, issue orders, and hold hearings on complaints alleging a violation of this article in the manner provided in this section.

- (c) Any person claiming to be aggrieved by a violation of civil rights as set out in this article (referred to in this article as a “complainant”) may file with the human rights commission a signed, ~~notarized~~ complaint, in writing, which shall state the name and address of the complaining party, the name and address (if known) of the person alleged to have deprived ~~him/her~~ the complainant of a civil right (also referred to in this article as a “respondent”), a description of the nature and date of the alleged deprivation, and the relief sought by the complainant. A person filing a complaint must do so within 180 days of the incident or situation which is the cause of the complaint.
- (d) Upon the filing of such a complaint, the human rights commission ~~may investigate~~ shall review such alleged deprivation of a civil right. If it is determined that no violation of civil rights under this article has occurred based on the content a review of the complaint only, the commission shall state such finding and dismiss the complaint. If ~~upon investigation~~ the commission finds that a violation of this article ~~has may have~~ occurred based on the content of the complaint, the commission shall notify the respondent of the complaint in writing with a copy of the complaint and this article, and shall provide the respondent an opportunity to file a written response to the complaint within thirty days of the notice. The commission may extend the time for responding in its discretion attempt to mediate the matter. A respondent shall not be required to respond to a complaint or otherwise appear before the commission. A respondent may be represented by legal counsel. In the event that the commission holds any hearings in the process of its investigations, written notice to the complainant and respondent shall be made.
- (e) ~~In the course of its investigations, the commission may, through court authorization, require answers to interrogatories, order the submission of books, papers, records, and other materials pertinent to a complaint, and require the attendance of witnesses, administer oaths, take testimony and compel compliance with its orders. Not less than thirty days after the respondent’s time for responding to the complaint has expired, the commission shall schedule a date for a hearing before the commission and shall send the complainant and respondent written notice of such hearing at least twenty-one days prior to the hearing date. At the hearing, the commission shall allow the complainant and respondent an additional opportunity to be heard and provide evidence to the commission that is relevant to the violations of this article alleged in the complaint.~~
- (f) After providing an opportunity for the parties to be heard, the commission shall review all information and evidence provided to it by the complainant and respondent and decide by majority vote of the appointed membership of the commission whether there is sufficient evidence of a violation of one or more sections of this article to refer the parties to a qualified mediator pursuant to subsection (g) below. The commission’s decision shall specifically identify each such section of this article and the facts, based on the evidence presented, on which the commission bases its decision. If the commission determines that there is sufficient evidence, it shall either refer the parties to a qualified mediator to attempt to mediate and resolve the matter pursuant to subsection (g) below, or refer the matter to and assist the complainant in filing a complaint with an appropriate state or federal agency, provided, however, the commission shall not provide any legal advice to the complainant.

~~If the commission determines that there is insufficient evidence that a violation occurred, the commission shall dismiss the complaint. Any time after a complaint has been filed, upon the complainant's request, the commission is authorized to and may assist the complainant in filing a complaint with an appropriate state or federal agency, provided, however, the commission shall not provide any legal advice to the complainant. Upon receipt of such a request from the complainant, the commission shall dismiss the complaint.~~

- (g) ~~If the matter is referred to mediation under subsection (f), the commission may provide the parties with a list of at least two mediators, who have been qualified by the commission and engaged under a contract by city council for purposes of mediating disputes under this article, subject to available and budgeted funding for such purposes. The parties may also engage in informal negotiations or private mediation on their own. If the parties agree to a resolution of the matter during the course of the mediation process or informal negotiations, they shall prepare an ~~conciliation~~ agreement stating the terms of that resolution (referred to in this section as a "compliance agreement"), which may contain the parties' agreement to one or more of the methods of terminating discrimination, reversing the effects of past discrimination, or taking other actions listed in subsection (h) below to address the complaint. Upon signing such a ~~conciliation~~ compliance agreement, the parties shall submit it to the commission. If the compliance agreement contains terms for the city to approve and also sign the agreement for purposes of enforcement under this section, upon the recommendation of the commission, the compliance agreement shall be submitted to City Council for approval and authorization of the City Manager to sign it on behalf of the City. If the City approves and signs a ~~conciliation~~ compliance agreement as provided under this section, a violation of the ~~conciliation~~ compliance agreement shall be a violation of this Article. The complainant or the respondent may commence a civil action to enforce the terms of a ~~conciliation~~ compliance agreement and, with the authorization of City Council, the city attorney may commence a civil action in circuit court to enforce a ~~conciliation~~ compliance agreement. If the parties are unable to reach a resolution of their dispute through such mediation efforts or if a party fails or refuses to participate in mediation, the commission may refer the matter to and assist the complainant in filing a complaint with an appropriate state or federal agency, provided, however, the commission shall not provide any legal advice to the complainant. If the commission, after receiving a complaint, and after failing to mediate the matter, determines that the respondent has violated this article, and if mediation has not resolved the matter, the commission may refer the matter to the MDCR and/or the CA for ~~further~~ appropriate action.~~
- (h) ~~Action ordered under this section~~ A ~~conciliation~~ compliance agreement may include, but is not limited to, ~~an order which requires~~ one or more of the following:
- (1) Hiring, reinstatement, or upgrading of employees with or without back pay.
 - (2) Admission or restoration of individuals to labor organization membership, admission to or participation in a guidance program, apprenticeship training program, on-the-job training program, or other occupational training or retraining program, with the utilization of objective criteria in the admission of persons to those programs.

- (3) Admission of persons to a public accommodation.
- (4) Sale, exchange, lease, rental, assignment, or sublease of real property to a person.
- (5) Extension to all persons of the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of the respondent.
- (6) Reporting as to the manner of compliance.
- (7) Requiring the posting of notices in a conspicuous place which the commission may publish or cause to be published setting forth requirements for compliance with civil rights law or other relevant information which the commission determines necessary to explain those laws.
- (8) Payment to an injured party of profits obtained by the respondent through violation of this article.
- (9) Payment to the complainant of damage for an injury or loss caused by a violation of this article, including reasonable attorney fees plus statutory interest from the date of occurrence.
- (10) Payment to the complainant of all or a portion of the costs of maintaining the action before the commission, including reasonable attorney fees and expert witness fees; ~~when the commission determines that award to be appropriate.~~
- ~~(11) In addition to any other penalty or legal remedy available to the City of East Lansing or any complainant under this article, a person who is convicted in district court of a violation of any provision of this article, or any rule or regulation adopted or issued in pursuance thereof, may be punished by a fine of not more than \$500.00 and cost of prosecution or by imprisonment for not more than 90 days, or by both such fine and imprisonment. Each act of violation and every day upon which such violation shall occur constitutes a separate offense. The penalty provided in this section, unless another penalty is expressly provided therein, shall apply to each and every addition to this article and to the amendment of any section thereof without the necessity of providing such penalty in the ordinance making any such addition or amendment.~~
- (12) Any other relief the ~~complainant and respondent agree to be~~ commission deems appropriate.
 - (i) Any time after a complaint has been filed, upon the complainant's request, the commission is authorized to and may assist the complainant in filing a complaint with an appropriate state or federal agency, provided, however, the commission shall not provide any legal advice to the complainant. Upon receipt of such a request from the complainant, the commission shall dismiss the complaint.

- (j) ~~In addition, in~~ the case of a respondent operating by virtue of a license issued by the city, the commission, upon finding that there is sufficient evidence of a violation of one or more sections of the respondent has violated this article and that the violation was authorized, requested, commended, performed, or permitted by the board of directors of the respondent or by an officer or agent acting within the scope of his/her employment, may refer the matter to the city clerk and/or city manager ~~and such violations of this article shall be grounds for review and consideration of~~ suspension or revocation of the respondent's license.
- (j) A contract to which the city, a political subdivision, or an agency thereof, is a party shall contain a covenant by the contractor and his/her subcontractors not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, including a benefit plan or system or a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, marital status, disability, sexual orientation, gender identity or expression, student status or use by an individual of adaptive devices or aids. Breach of this covenant may be regarded as a material breach of the contract. With respect to complaints filed against a contractor of the city, tThe commission shall not act on the complaint under this article but shall forward the information in the complaint to the city council and city manager for further action under the terms of the contract~~monitor review the contractors contracts to insure compliance by a contractor or subcontractor.~~
- (1) ~~In the case of a respondent who violates this article in the course of performing under such a contract or subcontract with the city or a subcontract, where the violation was authorized, requested, commended, performed, or permitted by the board of directors of the respondent or by an officer or agent acting within the scope of his/her employment with the contractor, the commission shall so certify to the contracting agency. The finding is binding on the contracting agency.~~
- (2) ~~Upon receiving a certification made under this section, the city, or a contracting agency of the city, shall take appropriate action to terminate a contract or portion thereof previously entered into with the respondent and allowing for termination at will or for a violation of civil right under this Article, either absolutely or on condition that the respondent carry out a program of compliance with this article. The city, or any agency of the city, shall not enter into further contracts or extensions or modifications of existing contracts with the respondent until the commission is satisfied that the respondent carries out policies that conform to this article.~~
- (k) This article shall not be so construed as to diminish the rights of a person to direct or immediate legal or equitable remedies in the courts of this state. The commission shall hold any proceedings regarding a complaint in abeyance in the event that any person involved in a complaint before the commission is a complainant, party or respondent in or to any proceeding involving the same facts in any complaint, suit, grievance, or case brought before any state or federal commission, court, board, or agency, until the other proceeding is finally determined including any appeals.

- (l) Two or more persons shall not conspire to, or a person shall not retaliate or discriminate against a person because a person has opposed a violation of this article, or because the person has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under this article. A violation of this subsection shall be punishable as provided by section 1-12 of this Code.
- (m) ~~This article shall not be construed as preventing the commission from securing civil rights guaranteed by law other than the civil rights set forth in this article, nor as restricting the implementation of approved plans, programs, or services to eliminate discrimination and the effects thereof when appropriate.~~
- ~~(n) This article shall not apply to the City, City Council, or any City official, employee, board, commission, committee, or other City Council or City Charter appointed or designated public body or representative of the City. If a complaint is filed with the commission against any of the foregoing persons or public bodies, the Commission shall dismiss the complaint pursuant to this provision and inform the complaining person of their right to file their complaint with the Michigan Department of Civil Rights or the Equal Employment Opportunity Commission, or the courts.~~

Sec. 22-39. Posting requirements.

- (a) *Employer posting requirements.* The city shall provide a notice as set forth in subparagraph (c) to all employers with places of business within the City of East Lansing which the employer shall post in a conspicuous area of their place of business, readily visible to employees.
- (b) *Rental unit posting requirements.* The city shall include on all rental unit licenses the notice described in subparagraph (c) of this section. All owners of rental units and/or their legal agents required to display a rental unit license pursuant to provision ~~ES-1005.11 of section 6-175 of~~ chapter ~~6-7~~ of this Code, shall display the rental license in a manner that the notice contained in subparagraph (c) of this section is visible. Owners of class V rental licenses shall display the license and notice contained in subparagraph (c) of this section in their rental offices in a place readily visible to prospective tenants.
- (c) *Notice.* The notice prepared by the city for posting pursuant to subparagraphs (a) and (b) shall be capitalized, in no less than 12-point type and shall read as follows:
EAST LANSING ORDINANCES PROHIBIT DISCRIMINATION IN EMPLOYMENT,
HOUSING, PUBLIC ACCOMMODATION AND PUBLIC SERVICE BECAUSE OF
RELIGION, RACE, COLOR, NATIONAL ORIGIN, AGE, HEIGHT, WEIGHT,
DISABILITY, SEX, MARITAL STATUS, SEXUAL ORIENTATION, GENDER
IDENTITY OR EXPRESSION, STUDENT STATUS, USE OF ADAPTIVE DEVICES OR
AIDS OR LEGAL SOURCE OF INCOME.
PERSONS DENIED EQUAL OPPORTUNITY BECAUSE OF THESE REASONS MAY
FILE A COMPLAINT WITH THE EAST LANSING HUMAN RIGHTS COMMISSION
WITHIN 180 DAYS OF THE INCIDENT OF DISCRIMINATION.

SEE ARTICLE II OF CHAPTER 22 OF THE CODE OF THE CITY OF EAST LANSING FOR DETAILS; OR CONSULT A LEGAL REPRESENTATIVE.

- (d) *Penalty.* A person who violates this section is responsible for a civil infraction and is punishable as provided in section 1-13 of this Code.

Sec. 22-40. City contractor discrimination in providing benefits; prohibited.

- (a) Except as otherwise provided herein, the city, a political subdivision, or an agency thereof shall not enter into a contract with any contractor that discriminates against its employees on the basis of marital status, sexual orientation, or gender identity or expression by failing to provide employment benefits for employees with domestic partners that it otherwise provides for the spouse of a married employee.
- (b) A contract to which the city, a political subdivision, or an agency thereof, is a party shall contain a covenant that the contractor is in compliance with ~~this provision~~[subsection 22-40\(a\)](#) and that a breach of this covenant may be regarded as a material breach of the contract. [If a complaint filed with the commission involves an alleged violation of a contractual covenant under this subsection, the commission shall not act on the complaint under this article but shall forward the information in the complaint to the city council and city manager for further action under the terms of the contract.](#)
- (c) This provision shall not apply to any of the following contracts:
- (1) Contracts less than \$20,000.00 total.
 - (2) Where there are no compliant contractors capable of providing the goods or services at comparable prices.
 - (3) Where another public agency is a party to the contract and a law, rule or policy of that agency would not permit compliance with this section.
 - (4) Where the work or purchases are funded in whole or in part by a governmental entity and the application of this section is not feasible.
 - (5) Purchases made through the State of Michigan's Extended Purchasing Program or other cooperative purchasing contractual arrangements utilized by the city.
 - (6) Purchases with any sole source supplier for supplies, material, or other equipment.
 - (7) Contracts entered into in response to emergency or exigent circumstances.
 - (8) Contracts which provide benefits that are collectively bargained by city employees.

Sec. 22-41. Appeals.

Appeals from findings and determinations of the commission under this article shall be filed in the Ingham County Circuit Court within thirty days of the finding or determination being appealed.

Secs. 22-~~4142~~—22-50. Reserved.

Section 3 of Ordinance. Repealer.

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect, and the City of East Lansing Code of Ordinances shall remain in full force and effect, amended only as specified above.

Section 4 of Ordinance. Savings.

All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 5 of Ordinance. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 6 of Ordinance. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect immediately upon publication.

Section 7 of Ordinance. Enactment.

This Ordinance is declared to have been enacted by the City Council of the City of East Lansing at a meeting called and held on the ____ day of _____, 2026, and ordered to be given publication in the manner prescribed by law.

Moved by Council member: _____

Supported by Council member: _____

ADOPTED: Yeas:
Nays:
Absent:

Mayor Erik Altmann

Dated:

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and complete copy of an Ordinance that was introduced at the East Lansing City Council meeting held on Tuesday,

_____, 2026, and adopted by the East Lansing City Council at its meeting held on Tuesday, _____, 2026, the original of which is part of the Council's minutes.

Emily Gordon, City Clerk
City of East Lansing
Ingham and Clinton Counties, Michigan

**Public Summary of Law and Reasons for Adjustments to the Parts of Chapters 2 & 22 of
the City Code Relating to the Human Relations Commission**

- I. The City Council does not have judicial powers and therefore cannot delegate judicial powers to its boards and commissions.
- II. Judicial power is vested in the *state's courts* that have been established and authorized by state law and the Michigan Constitution as a *separate branch of government*. Judicial power is defined as “*the authority to hear and decide controversies, and to make binding orders and judgments respecting them.*”¹ “The primary functions of the judiciary are to declare what the law is and *to determine the rights of parties conformably thereto.*”²
- III. In Chapter 22 of the current City Code, the City Council has granted the Human Relations Commission the power to decide controversies between parties, issue orders to parties, and award damages, injunctive relief and punishment against the parties appearing before it. The granting of these powers happened decades ago, but the HRC has not, until now, endeavored to exercise those powers in a significant way, which has brought the issue to light.
- IV. The Michigan Attorney General addressed this issue in a 1978 opinion, and determined that, based on the Michigan Constitution and the legislative intent of ELCRA, “[t]he state Civil Rights Commission [has] plenary power in the area of civil rights enforcement as a matter of constitutional principle and design.”³ The Attorney General went on to conclude, “*municipalities and municipal human relations commissions are limited to performing **educational, counseling and advisory roles** in the area of civil rights enforcement absent authorization from, or certification by, the Civil Rights Commission for the performance of further functions.*”⁴ “*All direct enforcement, however, must be initiated through the state Civil Rights Commission.*”⁵
- V. Based on the above, the draft amendments to Chapters 2 and 22 include changes that are intended to remove the powers to render final decisions that civil rights have been violated or enter orders requiring one party to provide relief to another party through the mandated payment of money or acting or not acting in a certain way.
- VI. In place of such powers, the ordinance amendments enhance and provide funding for the Human Relations Commission to, in appropriate situations, enable and assist the parties

¹ *Johnson v Kramer Bros Freight Lines, Inc*, 357 Mich. 254, 258, 98 NW2d 586 (1959) (quotation marks and citation omitted).

² *Ruggiero v Unnamed Genesee Co Pub Body Consisting of Circuit Court Judges to Appoint Genesee Co Clerk-Register*, No. 367378, 2025 WL 1183397, at p. 8 (Mich Ct App, April 23, 2025), app den 26 NW3d 826 (Mich, 2025)(emphasis added). *Ruggiero v Unnamed Genesee Co Pub Body Consisting of Circuit Court Judges to Appoint Genesee Co Clerk-Register*, No. 367378, 2025 WL 1183397, at *8 (Mich Ct App, April 23, 2025), app den 26 NW3d 826 (Mich, 2025)(emphasis added).

³ OAG, 1978, No 5353(emphasis added).

⁴ *Id.* (emphasis added.)

⁵ *Id.* (emphasis added.)

to engage in the mediation and resolution of the issues between them, by qualified mediators paid for by the City. The amendments also allow the parties to include the City as a party to an agreed upon resolution and authorize the City to assist in enforcement of the terms and requirements that they have agreed upon. These are intended to be *administrative* powers, as opposed to judicial powers.

- VII. In circumstances where the Commission’s mediation efforts do not resolve the claims of civil rights violations, a person with a civil rights claim is *not* left without a place to go to have their complaint adjudicated. Instead, the draft ordinance amendments make clear that the Commission is authorized to assist the complainant file their complaint with the Michigan Civil Rights Commission (known as the MCRC), which is specifically established, authorized, funded, and qualified under the Michigan Constitution and state laws to fully investigate, review, and render decisions about whether there is a violation of civil rights laws and to issue orders requiring the same types of relief that is identified in the City’s ordinance.
- VIII. If the person is not satisfied with that state process, they still have the right to file their complaint with the state or federal courts.
- IX. Stated more succinctly, the ordinance, with the draft amendments, will re-direct the powers of the HRC away from what appears to be judicial decision-making and more toward “*performing educational, counseling and advisory roles,*” in accordance with the Michigan Attorney General’s opinion on the subject, while not impeding on a complainant’s ability to have their matter adjudicated by the MCRC, as well as the state and federal courts.
- X. Taking these steps will avoid actions taken by the City, through its HRC, that conflict with the state’s civil rights framework and that are inconsistent with courts and the Michigan Civil Rights Commission, which are specifically authorized by law to investigate, rule upon, and exercise enforcement powers relative to individual cases claiming violations of civil rights.
- XI. These changes will also address Constitutional issues relating to due process, fairness, and avoidance of bias/conflicts of interest (real or publicly perceived) issues by (1) establishing a much more thorough set of procedures and standards for handling complaints and responses to them, and (2) providing for complaints against the City or City employees to be referred to the Civil Rights Commission that the State has established to handle such matters.
- XII. Additionally, the draft amendments also address a potential conflict with the City Charter relative to legal authority over the City’s employees. City Charter Section 7.3(i) states that the City Manager is the “personnel director of all City employees . . .”⁶ More

⁶ Notably, Charter Section 7.1(e) specifically states that it is the City Manager, not City Council, who has the authority to “delegate such duties to some other officer or employee of the City.” Section 7.1(e) also cautions that “no such delegation shall relieve the City Manager of any responsibility for the proper

directly, Charter Section 7.1(e) states, “*neither the Council nor any of its members or committees shall in any manner interfere with the City Manager* in the exercising of his or her judgment in the appointment or assignment of administrative officers and employees in the administrative service.” Section 7.1(e) further directs, “*Neither the Council nor any member thereof shall give orders to any of the subordinates of the City Manager.*” Since City Council does not have the power to investigate, discipline, or issue orders to city employees, it is unable to delegate such powers to the HRC, which appears to have been done under City Code Chapter 22 as currently written.

- XIII. The draft amendments resolve all this, without changing or in any way affecting the ability of individuals to file and adjudicate civil rights complaints against City employees in the Michigan Civil Rights Commission, the Equal Employment Opportunity Commission, or the courts.
- XIV. Lastly, a November, 2024, court decision ruled that the biased crime reporting section of Chapter 22 violates the First Amendment. Accordingly, the draft amendments adjust that section in a way that is intended to be constitutionally sound.

conduct of this duty,” meaning that even if the City Manager were to delegate his authority to issue orders or directives to employees, it would still be his ultimate responsibility to be the final decision-maker in such matters. There is no such limitation on the HRC’s authority relative to City employees in Chapters 2 or 22 of the Code.