

AN ORDINANCE TO ADOPT A HOUSING CODE FOR THE CITY OF MOBILE**Sponsored by: Mayor Stimpson****BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA,
AS FOLLOWS:****Chapter 28 - HOUSING****ARTICLE ONE: HOUSING CODE****SECTION 28-1 ADOPTED -To be amended as follows:****SECTION 28-1 ADOPTED - Delete in its entirety.**

SECTION 28-1 That, pursuant to Alabama Code Section 11-45-8 (1975), the Housing Code and Appendices, along with the amendments to the same contained in this ordinance, which has been on file in the office of the City Clerk of the City of Mobile, Alabama, pursuant to an ordinance adopted by the City Council of the City of Mobile, Alabama, on November 8, 2022, is hereby adopted as "The Housing Code of the City of Mobile." The ordinance will become effective sixty (60) days after adoption by the City Council.

ARTICLE TWO: IN GENERAL**SECTION 28-10—28-19. RESERVED.****ARTICLE THREE: DISCRIMINATION IN HOUSING****SECTION 28-20 PENALTY.**

The violation of this article shall be punishable as prescribed in chapter 1, article II, City Code (1991). Each day that any violation of this article shall continue shall constitute a separate offense.

(Ord. No. 28-104, § 4, 9-23-80)

SECTION 28-21 DEFINITIONS.

Words used in this article shall have their customary meanings as determined by the standard dictionary definition, except for purposes of this article the following specific words and phrases shall have the following meanings:

Age means a person forty (40) years of age or older.

Familial status shall have the meaning and definition found in the Alabama Fair Housing Law, section 24-8-3 of the Code of Alabama.

Gender identity or expression means having or being perceived as having gender-related identity, appearance, expression, or behavior, whether or not that identity, appearance, expression, or behavior is different from that traditionally associated with the person's actual or perceived sex.

Handicap shall have the meaning and definition found in the Alabama Fair Housing Law, section 24-8-3 of the Code of Alabama.

Real estate broker means any person, firm, partnership, or corporation licensed to sell, rent or lease real estate for residential or commercial purposes as a broker, qualifying broker or associate broker under title 34, chapter 27 of the Code of Alabama.

Real estate salesperson means any person, firm, partnership, or corporation licensed to sell, rent or lease real estate for residential or commercial purposes as a real estate salesperson under title 34, chapter 27 of the Code of Alabama.

Sexual orientation means a person's actual or perceived homosexuality, bisexuality, or heterosexuality, by orientation or practice, by and between consenting adults.

(Ord. No. 28-104, § 3, 9-23-80; Ord. No. 28-090-2015 , § 1, 12-1-15)

SECTION 28-22. UNFAIR HOUSING PRACTICES.

It shall be an unfair housing practice and an offense for any real estate broker or real estate salesperson:

- (1) To make any distinction, discrimination or restriction against any person in price, terms, conditions or privileges of any kind relating to the sale, rental, lease or occupancy of any real estate used for residential or commercial purposes in the city, or in furnishing of any facilities or services in connection therewith predicated solely upon race, sex, color, religion, national origin, ancestry, familial status, handicap, age, military status, ethnicity, marital status, gender identity or expression, or sexual orientation of the prospective or actual buyer or tenant thereof.
- (2) To publish, circulate, issue or display or cause to be published, circulated, issued or displayed, any communication, notice, advertisement, sign or writing of any kind relating to the sale, rental or leasing of any residential or commercial real property within the city which would indicate or express any limitation or discrimination in the sale, rental or leasing of such residential or commercial real estate predicated solely upon the race, sex, color, religion, national origin, ancestry, familial status, handicap, age, military status, ethnicity, marital status, gender identity or expression, or sexual orientation of any such prospective buyer, lessee or renter of such property.
- (3) To refuse to sell, lease or rent real estate for residential or commercial purposes within the city solely because of the race sex, color, religion, national origin, ancestry, familial status, handicap, age, military status, ethnicity, marital status, gender identity or expression, or sexual orientation of the proposed buyer or renter.
- (4) To discriminate or to participate in discrimination in connection with borrowing or lending money, guaranteeing loans, accepting mortgages or otherwise obtaining or making available funds for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any residential or commercial housing unit or housing

accommodation of the city solely because of the race, sex, religion, color, national origin, ancestry, familial status, handicap, age, military status, ethnicity, marital status, gender identity or expression, or sexual orientation of such person.

- (5) To cheat, exploit or overcharge any person for residential or commercial housing accommodation purposes in the city solely because of the race, sex, color, religion, national origin, ancestry, familial status, handicap, age, military status, ethnicity, marital status, gender identity or expression, or sexual orientation of such person.
- (6) To solicit for sale, lease or listing for sale or lease any residential or commercial real estate within the city solely on the ground of loss of value due to the present or prospective entry into any neighborhood of any person or persons of any particular race, sex, color, religion, national origin, ancestry, familial status, handicap, age, military status, ethnicity, marital status, gender identity or expression, or sexual orientation.
- (7) To distribute or cause to be distributed written material or statements designed to induce any owner of residential or commercial real estate in the city to sell or lease his property solely because of any present or prospective change in the race, sex, color, religion, national origin, ancestry, familial status, handicap, age, military status, ethnicity, marital status, gender identity or expression, or sexual orientation of persons in the neighborhood.
- (8) To deliberately and knowingly refuse examination of any leasing of residential or commercial real estate within the city to any person solely because of race, sex, color, religion, national origin, ancestry, familial status, handicap, age, military status, ethnicity, marital status, gender identity or expression, or sexual orientation.

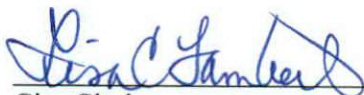
(Ord. No. 28-104, § 1, 9-23-80; Ord. No. 28-090-2015 , § 2, 12-1-15)

SECTION 28-23. COMPLIANCE BY OUT OF TOWN BROKERS.

Any real estate broker not licensed by the city who shall exercise any function of a real estate broker within the city shall be deemed a broker hereunder and subject to all applicable provisions hereof.

(Ord. No. 28-104, § 2, 9-23-80)

Adopted: **NOV 08 2022**



City Clerk