

ARTICLE III. - PUBLIC ACCOMMODATIONS

Sec. 12-56. - Declaration of policy.

It is hereby declared to be the policy of the city in the exercise of its licensing and police powers, and under the authority of section 6.41 of the Charter and state law for the preservation of the peace and protection of the health, safety and welfare of persons in the city, to prohibit discriminatory practices in places of public accommodations as defined in section 12-57.

(Code 1985, § 12-36)

Editor's note— This section is preempted under state law by S.L. 2016-3, Sec. 3.3, and was invalidated effective March 23, 2016.

Sec. 12-57. - Definitions.

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

Place of public accommodation means a business, accommodation, refreshment, entertainment, recreation, or transportation facility 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.

(Code 1985, § 12-37)

Editor's note— This section is preempted under state law by S.L. 2016-3, Sec. 3.3, and was invalidated effective March 23, 2016.

Cross reference— Definitions generally, § 1-2.

Sec. 12-58. - Prohibited acts.

- (a) It shall be unlawful to deny any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation because of race, color, religion, sex, marital status, familial status, sexual orientation, gender identity, gender expression, or national origin.
- (b) It shall be unlawful to make, print, circulate, post, mail or otherwise cause to be published a statement, advertisement, or sign which indicates that the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation will be refused, withheld from, or denied any person because of race, color, religion, sex, marital status, familial status, sexual orientation, gender identity, gender expression, or national origin, or that any person's patronage of or presence at a place of public accommodation is objectionable, unwelcome, unacceptable, or undesirable because of race, color, religion, sex, marital status, familial status, sexual orientation, gender identity, gender expression, or national origin; provided, however, this section does not apply to a private club or other establishment not, in fact, open to the public.

(Code 1985, § 12-38; [Ord. No. 7056, § 3, 2-22-2016, eff. 4-1-2016](#))

Editor's note— This section is preempted under state law by S.L. 2016-3, Sec. 3.3, and was invalidated effective March 23, 2016.

Sec. 12-59. - Reserved.

Editor's note— [Ord. No. 7056, § 3, adopted February 22, 2016](#), effective April 1, 2016, repealed § 12-59, which pertained to prohibited sex discrimination and derived from § 12-39 of the 1985 Code.

Secs. 12-60—12-80. - Reserved.