

ORDINANCE 36-C-22

Synopsis: This Ordinance, if adopted, would amend the City Code Section 101.2 definitions for “Family” and “Familial Status” to match recent amendments made by the Department of Housing and Urban Development (HUD) to the Code of Federal Regulations (CFR).

AN ORDINANCE AMENDING CERTAIN DEFINITIONS IN SECTION 101.2 OF THE CODE OF ORDINANCES OF THE CITY OF HUNTINGTON, INDIANA

WHEREAS, the City of Huntington intends to undertake a stormwater improvement project in the area of Cottage, Park, and Jessup Streets (Project); and

WHEREAS, the Common Council of the City of Huntington, Indiana (“Council”), by passage of Resolution 10-R-22, has authorized an application for grant funding for a portion of the Project’s cost through the Indiana Office of Community and Rural Affairs (OCRA); and

WHEREAS, the City has been advised by Kenna Consulting, the City’s grant writer and (if awarded) administrator, that in order for the City’s application to be considered complete, the City must amend two definitions in the City’s Fair Housing Code to match recent amendments made by HUD to the Code of Federal Regulations; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Huntington, Indiana, in meeting duly assembled, that the following definitions of “Family” and “Familial Status” of Section 101.2 of the City Code of Ordinances should be and are hereby amended to read as follows:

“Family” includes a single individual (I.C. 22-9.5-2-9), with the status of such family being further defined in “Familial Status” below. Pursuant to 24 CFR Part 5.403 and 24 CFR Part 574.3 the definition of “family” is revised to include families regardless of the actual or perceived sexual orientation, gender identity, or marital status of its members.

“Familial Status” means one or more individuals who have not attained the age of 18 years being domiciled with a parent or another person having legal custody of such individual or the written permission of such parent or other person. The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

BE IT FINALLY ORDAINED THAT, this ordinance shall be effective immediately upon its adoption and all ordinances or parts of ordinances in conflict herewith are repealed.

(Signature Block Next Page)

A motion to consider for final adoption on the same day of introduction was [NOT OFFERED or NOT SUSTAINED or SUSTAINED] by a vote of 7 in favor and 0 in opposition.

Duly adopted on first reading this 13 day of December, 2022, by a vote of 7 in favor and 0 in opposition.

Duly adopted on final reading this 13 day of December, 2022, by a vote of 7 in favor and 0 in opposition.

CITY OF HUNTINGTON, INDIANA by its COMMON COUNCIL

Voting in Favor:

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
remote
[Signature]

Charles Chapman
(President)

Joe Blomeke

P J Felton

Dave Funk

Todd Johnson

Seth Marshall

Paul Pike

Voting in Opposition:

Attest:

Christi McElhaney
Christi A. McElhaney, Clerk-Treasurer

Presented by me to the Mayor for approval or veto, this 13 day of December, 2022.

Christi McElhaney
Christi A. McElhaney, Clerk-Treasurer

This ordinance having been adopted by the Common Council and presented to me is [APPROVED or VETOED], this 13 day of December, 2022.

[Signature]
Richard Strick, Mayor