

# City of Cincinnati

IMD *MJB*

## An Ordinance No. \_\_\_\_\_

- 2022

**MODIFYING** the provisions of Chapter 914, “Unlawful Discriminatory Practices,” of the Cincinnati Municipal Code by **AMENDING** Section 914-1-D1, “Discriminate,” Section 914-1-E1, “Employer,” Section 914-1-H, “Housing Accommodations,” Section 914-1-P1, “Place of Public Accommodation,” Section 914-1-R, “Restrictive Covenant,” Section 914-1-S, “Sexual Orientation,” Sec. 914-1-T1, “Natural Hair Types and Natural Hair Styles Commonly Associated With Race,” Section 914-3, “Housing Discrimination Prohibited,” Section 914-5, “Employment Discrimination Prohibited,” and Section 914-15, “Exclusions”; **ORDAINING** new Section 914-1-B, “Breastfeeding Status,” Section 914-1-F, “Familial Status,” Section 914-1-G, “Gender Expression,” Section 914-1-G1, “Gender Identity,” Section 914-1-M1, “Military Status,” and Section 914-1-S1, “Sex”; and **REPEALING** in its entirety Section 914-1-T, “Transgender,” in order to update and enhance the provisions of Chapter 914, “Unlawful Discriminatory Practices,” of the Cincinnati Municipal Code.

WHEREAS, the City of Cincinnati wishes to be a welcoming and inclusive environment for all people and thereby seeks to prohibit wrongful discrimination in all forms, including by using the most accurate terms and definitions in its laws; and

WHEREAS, the Cincinnati Municipal Code occasionally must be updated to provide rights and protections that are commensurate with state or federal laws, and to ensure the most accurate terms and definitions are used to express the intention and purpose of the laws of the City of Cincinnati; and

WHEREAS, courts and legislative bodies throughout the United States have refined their terminology and expanded the classes of people who are protected from wrongful discrimination in housing, employment, and public accommodations; and

WHEREAS, Council desires to update Chapter 914 of the Cincinnati Municipal Code, “Unlawful Discriminatory Practices,” to provide protections that exist at the state or federal level, and to ensure the intended application of the law using the most current and accepted language; now, therefore,

BE IT **ORDAINED** by the Council of the City of Cincinnati, State of Ohio:

Section 1. That existing Section 914-1-D1, “Discriminate,” Section 914-1-E1, “Employer,” Section 914-1-H, “Housing Accommodations,” Section 914-1-P1, “Place of Public Accommodation,” Section 914-1-R, “Restrictive Covenant,” Section 914-1-S, “Sexual Orientation,” Sec. 914-1-T1, “Natural Hair Types and Natural Hair Styles Commonly Associated

With Race,” Section 914-3, “Housing Discrimination Prohibited,” Section 914-5, “Employment Discrimination Prohibited,” and Section 914-15, “Exclusions” of Chapter 914, “Unlawful Discriminatory Practices,” of the Cincinnati Municipal Code are hereby amended to read as follows:

**Sec. 914-1-D1. - Discriminate.**

~~“Discriminate” shall mean to unlawfully segregate, separate or treat individuals differently based on race, natural hair types and natural hair styles commonly associated with race, gender, age, color, religion, disability status, marital status, sexual orientation or transgender status, or ethnic, national or Appalachian regional origin.~~

“Discriminate” shall mean to unlawfully segregate, separate or treat individuals differently based on or because of race; natural hair types and natural hair styles commonly associated with race; gender; sex, as defined in Section 914-1-S1, which includes without limitation sexual orientation and gender identity or expression; age; color; religion; disability status; military status; familial status; marital status; or ethnic, national or Appalachian regional origin.

**Sec. 914-1-E1. - Employer.**

“Employer” shall mean any person who employs ~~ten~~ four or more persons within the City of Cincinnati.

**Sec. 914-1-H. - Housing Accommodations.**

“Housing accommodations” shall mean any building or structure ~~that exceeds four units~~ or any portion thereof which is used or occupied or is intended, arranged, or designed to be used or occupied as a home, residence or sleeping place of one or more individuals, groups, or families, whether or not living independently of each other; any such building or structure held or offered for sale or rent by a real estate broker, salesman, or agent, or by any other person pursuant to authorization of the owner, by the owner, or by such person’s legal representative; or any vacant land offered for sale or lease.

**Sec. 914-1-P1. - Place of Public Accommodation.**

“Place of public accommodation” shall mean any place that provides access to goods, services, facilities, privileges, advantages, or accommodations in the City of Cincinnati, whether or not that place maintains a physical location in the City of Cincinnati or charges for those goods, services, facilities, privileges, advantages, or accommodations, including

~~but not limited to any inn, restaurant, eating house, barbershop, public conveyance by air, land, or water, theater, store, or other place for the sale of merchandise, or any other place of public accommodation or amusement where the accommodation, advantages, facilities, or privileges goods, services, facilities, privileges, advantages, or accommodations thereof are available to the public. "Place of public accommodation" does not mean a benevolent corporation or a religious corporation incorporated as such under the laws of Ohio.~~

**Sec. 914-1-R. – Restrictive Covenant.**

~~"Restrictive covenant" shall mean any specification in a deed, land contract or lease limiting the transfer, rental, lease or other use of any housing because of race, natural hair types and hair styles commonly associated with race, gender, age, color, religion, disability status, marital status, sexual orientation or transgender status, or ethnic, national or Appalachian regional origin or any limitation based upon affiliation with or approval by any person, directly or indirectly, employing race, gender, age, color, religion, disability status, marital status, sexual orientation or transgender status, or ethnic, national or Appalachian regional origin as a condition of affiliation or approval.~~

"Restrictive covenant" shall mean any specification in a deed, land contract or lease limiting the transfer, rental, lease or other use of any housing based on or because of race; natural hair types and natural hair styles commonly associated with race; gender; sex, as defined in Section 914-1-S1, which includes without limitation sexual orientation and gender identity or expression; age; color; religion; disability status; military status; familial status; marital status; or ethnic, national or Appalachian regional origin; and shall include any limitation based upon affiliation with or approval by any person, directly or indirectly, employing race; natural hair types and natural hair styles commonly associated with race; gender; sex, as defined in Section 914-1-S1, which includes without limitation sexual orientation and gender identity or expression; age; color; religion; disability status; military status; familial status; marital status; or ethnic, national or Appalachian regional origin as a condition of affiliation or approval.

**Sec. 914-1-S. - Sexual Orientation.**

"Sexual orientation" shall mean an individual's actual or perceived heterosexuality, homosexuality, or bisexuality ~~or transgender status, by orientation or practice.~~

**Sec. 914-1-T1. - Natural Hair Types and Natural Hair Styles Commonly Associated With Race.**

"Natural hair types and natural hair styles commonly associated with race" includes, but is not limited to, hair style, type, and texture, treated or untreated, as well as protective hairstyles such as natural hair, afros, braids, twists, cornrows, and locks, which hair types

and hair styles are commonly associated with African-Americans and their racial, ethnic, and cultural identities.

**Sec. 914-3. - Housing Discrimination Prohibited.**

- (A) It shall be an unlawful discriminatory practice for a person to discriminate:
- (1) In the sale, transfer, assignment, rental, lease, sublease, or financing of housing accommodations or otherwise deny or withhold housing accommodations from any prospective owner, occupant, or user of such housing accommodations.
  - (2) By representing to any person that housing accommodations are not available for inspection when they are available.
  - (3) By refusing to lend money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations or otherwise withhold financing of housing accommodations from any present or prospective owner, occupant, or user of such housing accommodations, provided such person lends money as one of the principal aspects of his business or incident to his principal business and not only as a part of the purchase price of an owner-occupied residence he is selling nor merely casually or occasionally to a relative or friend.
  - (4) In the terms or conditions of sale, transfer, assignment, rental, lease, or sublease of any housing accommodations or in furnishing facilities, services, or privileges in connection with the ownership, occupancy or use of any housing accommodations of any present or prospective owner, occupant, or user of such housing accommodations.
  - (5) In the terms or conditions of any loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of any housing accommodations of any present or prospective owner, occupant, or user of such housing accommodations.
  - (6) By printing, publishing, or circulating any statement or advertisement relating to the sale, transfer, assignment, rental lease, sublease, or acquisition of any housing accommodations or the loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations which indicates any discrimination or preference, limitation, or specification based on the groups designated in this chapter.

- (7) ~~By making any inquiry, eliciting any information, making or keeping any record, or using any form of application containing questions or entries concerning race, natural hair types and hair styles commonly associated with race, gender, age, color, religion, disability status, marital status, sexual orientation or transgender status, or ethnic, national or Appalachian regional origin, except as may be otherwise required by or for compliance with state, federal, or local laws, rules and regulations, or other legal requirements or any other stipulation set forth by the U.S. Department of Housing and Urban Development in connection with the sale or lease of any housing accommodations or the loan of any money, whether or not secured by a mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing accommodations.~~

By making any inquiry, eliciting any information, making or keeping any record, or using any form of application containing questions or entries concerning race; natural hair types and natural hair styles commonly associated with race; gender; sex, as defined in Section 914-1-S1, which includes without limitation sexual orientation and gender identity or expression; age; color; religion; disability status; military status; familial status; marital status; or ethnic, national or Appalachian regional origin, except as may be otherwise required by or for compliance with state, federal, or local laws, rules and regulations, or other legal requirements or any other stipulation set forth by the U.S. Department of Housing and Urban Development in connection with the sale or lease of any housing accommodations or the loan of any money, whether or not secured by a mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing accommodations.

- (8) By including in any deed, land contract, or lease of accommodations any restrictive covenant, or honoring or exercising, or attempting to honor or exercise, any such restrictive covenant, provided that the prior inclusion of a restrictive covenant in the chain of title shall not be deemed a violation of this provision.
- (9) ~~By inducing or soliciting or attempting to induce or solicit housing accommodations listing, sale, or transaction by representing that a change has occurred or may occur with respect to the ethnic composition of the block, neighborhood, or area in which the property is located, or inducing or soliciting or attempting to induce or solicit such sale or listing by representing that the presence or anticipated presence of persons of any race, natural hair types and hair styles commonly associated with race, gender, age, color, religion, disability status, marital status, sexual orientation or transgender status, or ethnic, national or Appalachian regional origin, in the area will or may have results such as the following:~~

By inducing or soliciting or attempting to induce or solicit any housing accommodations listing, sale, or transaction by representing that a change has occurred or may occur with respect to the ethnic composition of the block, neighborhood, or area in which the property is located, or inducing or soliciting or attempting to induce or solicit such sale or listing by representing that the presence or anticipated presence of persons of any race, natural hair types and natural hair styles commonly associated with race; gender; sex, as defined in Section 914-1-S1, which includes without limitation sexual orientation and gender identity or expression; age; color; religion; disability status; military status; familial status; marital status; or ethnic, national or Appalachian regional origin, in the area will or may have results such as the following:

- (a) The lowering of property values;
- (b) A change in the racial, religious, sexual or ethnic race; natural hair types and natural hair styles commonly associated with race; gender; sex, as defined in Sec. 914-1-S1, which includes without limitation sexual orientation and gender identity or expression; age; color; religion; disability status; military status; familial status; marital status; or ethnic, national or Appalachian regional origin composition of the block, neighborhood, or area in which the property is located;
- (c) An increase in criminal or antisocial behavior in the area;
- (d) A decline in the quality of schools serving the area.

- (10) ~~By discouraging or attempting to discourage the purchase by prospective purchasers of any housing accommodations by representing that any block, neighborhood, or area has or might undergo a change with respect to the race, natural hair types and hair styles commonly associated with race, religion, sexual, or ethnic composition of the block, neighborhood, or area.~~

By discouraging or attempting to discourage the purchase by prospective purchasers of any housing accommodations by representing that any block, neighborhood, or area has or might undergo a change with respect to the race; natural hair types and natural hair styles commonly associated with race; gender; sex, as defined in Section 914-1-S1, which includes without limitation sexual orientation and gender identity or expression; age; color; religion; disability status; military status; familial status; marital status; or ethnic, national or Appalachian regional origin composition of the block, neighborhood, or area.

- (11) By denying any otherwise qualified person access to or membership or participation in any real estate, brokers' organization, or other service,

organization, or facility relating to the business of selling or renting housing accommodations, or to discriminate against them in the terms or conditions of such access, membership, or participation.

(12) By coercing, intimidating, threatening, or interfering with any person in the exercise or enjoyment of, or on account of their having exercised or enjoyed, or on account of their having aided or encouraged any other person in the exercise or enjoyment of, any right protected by this section.

(13) By using force or threat of force, to willfully ~~injuring injure~~, ~~intimidating intimidate~~, or ~~interfering interfere~~ with, or to attempting to injure, intimidate, or interfere with:

(a) ~~Any person because of their race, natural hair types and hair styles commonly associated with race, gender, age, color, religion, disability status, marital status, sexual orientation or transgender status, or ethnic, national or Appalachian regional origin and because that person is or has been selling, purchasing, renting, financing, occupying, or contracting or negotiating for the sale, purchase, rental, financing, or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or renting housing accommodations.~~

Any person because of their race; natural hair types and natural hair styles commonly associated with race; gender; sex, as defined in Section 914-1-S1, which includes without limitation sexual orientation and gender identity or expression; age; color; religion; disability status; military status; familial status; marital status; or ethnic, national or Appalachian regional origin and because that person is or has been selling, purchasing, renting, financing, occupying, or contracting or negotiating for the sale, purchase, rental, financing, or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or renting housing accommodations.

(b) Any person because that person is, ~~or~~ has been, or may be in order to intimidate such person or any other person or any class of persons from:

(1) Participating, without discrimination in any of the activities, services, organizations, or facilities described in division (A)(13)(a) of this section.

(2) Affording another person or class of persons opportunity or protection so to participate in any of the activities, services,

organizations, or facilities described in division (A)(13)(a) of this section.

- (c) Any person because that person is, ~~or~~ has been, or may be in order to discourage such person or any other person from lawfully aiding or encouraging other persons to participate, without discrimination in any of the activities, services, organizations, or facilities described in division (A)(13)(a) of this section, or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate.
- (14) In any manner against any other person because that person has opposed any unlawful practice defined in this chapter, or because that person has made a charge, testified, assisted, or participated in any manner, in any investigation, proceeding, or hearing under the provisions of this chapter.
- (B) No person shall discriminate in the sale, transfer, assignment, rental or lease, sublease, finance, or otherwise deny or withhold a burial lot from any prospective owner or user of such lot.
- (C) ~~Nothing in this section shall bar any person from refusing to rent, lease, or sublease any room, suite of rooms, or apartment to any person because of sex if such room, suite of rooms, or apartment is located in a building in which the only toilet and bathroom facilities provided for such room, suite of rooms, or apartment are for the common use of all occupants.~~

It shall not be a violation of this section for a person to designate any room, suite of rooms, or apartment as only for men or women if such room, suite of rooms, or apartment is located in a building in which the only toilet and bathroom facilities provided for such room, suite of rooms, or apartment are for the common use of all occupants, so long as that person does not discriminate based on gender identity or expression.

#### **Sec. 914-5. - Employment Discrimination Prohibited.**

- ~~(A)~~ (A) It shall be an unlawful discriminatory practice, except where based upon applicable national security regulations established by the United States:
- ~~(A)~~ (1) For any employer to discriminate by refusing to hire any person or otherwise to discriminate against that person with respect to hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment.
- ~~(B)~~ (2) For any employer, employment agency, or labor organization to discriminate in the establishment, announcement or to follow a policy of



discrimination by denying or limiting, through a quota system or otherwise, the employment or membership opportunities of any person or group of persons.

~~(C)~~(3) For any employer, labor organization, or joint labor-management committee controlling apprentice training programs to discriminate against any person in the admission to employment in any program established to provide apprentice training.

~~(D)~~(4) ~~For any employer, employment agency, or labor organization to publish or circulate or to cause to be published or circulated any notice or advertisement relating to employment or membership which indicates any preference, limitation, specifications or discrimination based upon race, natural hair types and hair styles commonly associated with race, gender, age, color, religion, disability status, marital status, sexual orientation or transgender status, or ethnic, national or Appalachian regional origin.~~

For any employer, employment agency, or labor organization to publish or circulate or to cause to be published or circulated any notice or advertisement relating to employment or membership which indicates any preference, limitation, specifications or discrimination based on or because of race; natural hair types and natural hair styles commonly associated with race; gender; sex, as defined in Section 914-1-S1, which includes without limitation sexual orientation and gender identity or expression; age; color; religion; disability status; military status; familial status; marital status; or ethnic, national or Appalachian regional origin.

~~(E)~~(5) For any employment agency to discriminate by refusing or failing to accept, register, classify properly, or refer for employment, or otherwise to discriminate against any person.

~~(F)~~(6) For any employer, employment agency, or labor organization to utilize in the recruitment or hiring of persons, any employment agency, placement service, labor organization, training school or center or any other employee-referring source known to discriminate.

~~(G)~~(7) For any labor organization to discriminate against any person by limiting their employment opportunities or otherwise adversely affecting their status as an employee, or their wages, hours, or employment conditions.

~~(H)~~(8) For an employment agency to discriminate by complying with a request from an employer for the referral of applicants for employment if the request indicates, directly or indirectly, that the employer fails to comply with this chapter.

~~(4)(9)~~ For any labor organization to discriminate by limiting or classifying its membership.

~~(4)(10)~~ For any employer, employment agency or labor organization to:

~~(1)(a)~~ Elicit or attempt to elicit any information concerning the race, natural hair types and hair styles commonly associated with race, gender, age, color, religion, disability status, marital status, sexual orientation or transgender status, or ethnic, national or Appalachian regional origin of an applicant for employment or membership, except as may otherwise be required by or for compliance with state, federal, or local laws, rules and regulations.

Elicit or attempt to elicit any information concerning the race; natural hair types and natural hair styles commonly associated with race; gender; sex, as defined in Section 914-1-S1, which includes without limitation sexual orientation and gender identity or expression; age; color; religion; disability status; military status; familial status; marital status; or ethnic, national or Appalachian regional origin of an applicant for employment or membership, except as may otherwise be required by or for compliance with state, federal, or local laws, rules and regulations.

~~(2)(b)~~ Make or keep a record of the race, natural hair types and hair styles commonly associated with race, gender, age, color, religion, disability status, marital status, sexual orientation or transgender status, or ethnic, national or Appalachian regional origin, of any applicant for employment or membership, except as may otherwise be required by or for compliance with state, federal, or local laws, rules and regulations.

Make or keep a record of the race; natural hair types and natural hair styles commonly associated with race; gender; sex, as defined in Section 914-1-S1, which includes without limitation sexual orientation and gender identity or expression; age; color; religion; disability status; military status; familial status; marital status; or ethnic, national or Appalachian regional origin of any applicant for employment or membership, except as may otherwise be required by or for compliance with state, federal, or local laws, rules and regulations.

~~(3)(c)~~ Use any form of application for employment or personnel or membership blank seeking to elicit information regarding race, natural hair types and hair styles commonly associated with race, gender, age, color, religion, disability status, marital status, sexual orientation or transgender status, or ethnic, national or Appalachian

~~regional origin, except as may otherwise be required by or for compliance with state, federal, or local laws, rules and regulations; but an employer holding a contract containing a nondiscrimination clause with the government of the United States or any department or agency thereof, may require an employee or applicant for employment to furnish documentary proof of United States citizenship and may retain such proof in the employer's personnel records and may use photographic or fingerprint identification for security purposes.~~

Use any form of application for employment or personnel or membership blank seeking to elicit information regarding race; natural hair types and natural hair styles commonly associated with race; gender; sex, as defined in Section 914-1-S1, which includes without limitation sexual orientation and gender identity or expression; age; color; religion; disability status; military status; familial status; marital status; or ethnic, national or Appalachian regional origin, except as may otherwise be required by or for compliance with state, federal, or local laws, rules and regulations; but an employer holding a contract containing a nondiscrimination clause with the government of the United States or any department or agency thereof, may require an employee or applicant for employment to furnish documentary proof of United States citizenship and may retain such proof in the employer's personnel records and may use photographic or fingerprint identification for security purposes.

~~(K)(11)~~ For any employer, employment agency, or labor organization to discriminate against any person because he has opposed any practice forbidden by this chapter, or because he has made a complaint or testified or assisted in any manner any investigation or proceeding under this chapter.

~~(L)(12)~~ For any person, whether or not an employer, employment agency, or labor organization, to aid, incite, compel, coerce, or participate in the doing of any act declared to be an unlawful discriminatory practice by this chapter or to obstruct or prevent any person from enforcing or complying with the provisions of this chapter, or to attempt directly or indirectly to commit any act declared by this chapter to be an unlawful discriminatory practice.

~~(2)~~ For purposes of this chapter, "employment conditions" or "conditions or privileges of employment" shall not include the designation of beneficiaries under insurance or health benefits provided by an employer or labor organization, unless such designee otherwise qualifies for benefits under the employer's or labor organization's existing policies.

**Sec. 914-15. - Exclusions.**

Nothing in this chapter shall bar a fraternal organization from giving preference to members of such fraternal organization or from making such selection as is calculated by such organization to promote the aims, purposes, or fraternal principles for which it is established or maintained.

This chapter shall not apply to any religious corporation, organization, or association. does not apply to a religious corporation, association, educational institution, or society with respect to the employment of an individual of a particular religion to perform work connected with the carrying on by that religious corporation, association, educational institution, or society of its activities.

The application and enforcement of the protections created herein are limited solely to the terms of this chapter and such terms shall not create nor enhance protected class status for any other purpose including public and private affirmative action program eligibility. The term “affirmative action program” shall include any program administered by any private or public entity for the purpose of providing preferential treatment for those in a protected class.

Any practice which has a discriminatory effect and which would otherwise be prohibited by this chapter shall not be deemed unlawful if it can be established that such practice is not intentionally devised or operated to contravene the prohibitions of this chapter and can be justified by business necessity. Under this chapter, a “business necessity” exception is applicable only in each individual case where it can be proved by a respondent that, without such exception, such business cannot be conducted; a “business necessity” exemption cannot be justified by the factors of increased costs to business, business efficiency, the comparative characteristics of one group as opposed to another, the stereotyped characterizations of one group as opposed to another, and the preferences of co-workers, employers, customers, or any other person.

The provisions of Chapter 914 shall not apply to any act or charge of discrimination that is currently or was previously the subject of any state or federal civil, criminal or administrative proceeding.

Section 2. That existing Section 914-1-D1, “Discriminate,” Section 914-1-E1, “Employer,” Section 914-1-H, “Housing Accommodations,” Section 914-1-P1, “Place of Public Accommodation,” Section 914-1-R, “Restrictive Covenant,” Section 914-1-S, “Sexual Orientation,” Section 914-1-T, “Transgender,” Sec. 914-1-T1, “Natural Hair Types and Natural Hair Styles Commonly Associated With Race,” Section 914-3, “Housing Discrimination

Prohibited,” Section 914-5, “Employment Discrimination Prohibited,” and Section 914-15, “Exclusions” of Chapter 914, “Unlawful Discriminatory Practices,” of the Cincinnati Municipal Code are hereby repealed.

Section 3. That new Section 914-1-B, “Breastfeeding Status,” Section 914-1-F, “Familial Status,” Section 914-1-G, “Gender Expression,” Section 914-1-G1, “Gender Identity,” Section 914-1-M1, “Military Status,” and Section 914-1-S1, “Sex,” are added to Chapter 914, “Unlawful Discriminatory Practices,” of the Cincinnati Municipal Code and are hereby ordained to read as follows:

**Sec. 914-1-B. - Breastfeeding Status.**

“Breastfeeding status” means a mother’s choice to feed her child directly with milk from her breast or to pump milk from her breast for future consumption by her child, without being required to cover her breast or to move to a particular location within or outside of a public accommodation on account of the act of breastfeeding.

**Sec. 914-1-F. - Familial Status.**

“Familial status” means having either of the following family characteristics, where “family” also includes an individual:

- (A) One or more individuals who are under eighteen years of age and who are either
  - (1) domiciled with a parent or guardian having legal custody of the individual; or
  - (2) domiciled, with the written permission of the parent or guardian having legal custody, with a designee of the parent or guardian; or
- (B) Any individual who is pregnant or in the process of securing legal custody of any individual who is under eighteen years of age.

**Sec. 914-1-G. - Gender Expression.**

“Gender expression” means external manifestations of gender, expressed through one’s behavior or appearance, that may or may not be those traditionally associated with the individual’s assigned sex at birth.

**Sec. 914-1-G1. - Gender Identity.**

“Gender identity” means an individual’s sense of having, or being perceived as having, a gender that may or may not be traditionally associated with the individual’s assigned sex at birth.

**Sec. 914-1-M1. - Military Status.**

“Military status” shall have the same meaning set forth in Section 4112.01 of the Ohio Revised Code or its successor.

**Sec. 914-1-S1. - Sex**

“Sex,” as well as phrases such as “based on sex” or “because of sex,” shall include but not be limited to a person’s sex assigned at birth, sexual orientation, sex characteristics, gender identity, gender expression, pregnancy, childbirth, or related medical condition, breastfeeding status, and all forms of “sex” and sex stereotypes recognized under the Civil Rights Act of 1964, as amended.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2022

\_\_\_\_\_  
Aftab Pureval, Mayor

Attest: \_\_\_\_\_  
Clerk

\_\_\_\_\_  
Deletions are indicated by strikethrough; additions are indicated by underline.