

**CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE NO. 2007-15**

AN ORDINANCE AMENDING ORDINANCE 86-2, "AN ORDINANCE CREATING RUSSELLVILLE-LOGAN COUNTY COMMISSION ON HUMAN RIGHTS" BY REDUCING THE NUMBER AND COMPOSITION OF COMMISSION MEMBERS; AND BY ELIMINATING THE NEED FOR AN EXECUTIVE DIRECTOR; CONTAINING A SEVERABILITY CLAUSE, REPEALER CLAUSE AND ESTABLISHING AN EFFECTIVE DATE

** ** *

WHEREAS, the City of Russellville and Logan County, Kentucky, have previously enacted a joint Ordinance creating a Commission on Human Rights; and

WHEREAS, this Ordinance should be amended in the best interests of the health, safety and welfare of the citizens of the City of Russellville, Kentucky;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RUSSELLVILLE AS FOLLOWS:

A. Section 3 of the Ordinance is amended as follows:

3. Commission on Human Rights. There is hereby created a Russellville-Logan County Commission on Human Rights, the members of which ~~It shall consist of fifteen (15) members who shall be appointed on a nonpartisan basis and shall be broadly representative of employers, proprietors, trade unions, businesses, human rights groups, and the general public. The County Judge Executive with the approval of the Logan County Fiscal Court and the Mayor, with the approval of the Russellville City Council, shall after the effective date of this Ordinance, appoint the members, whose term shall begin on March 1 of the year appointed.~~

~~Of the first members appointed, the County Judge Executive shall appoint eight (8) members, three (3) of whom shall serve the first year, two (2) of whom shall serve the first two (2) years, and three (3) of whom shall serve the first three (3) years. Of the first members appointed, the Mayor shall appoint seven (7) members, two (2) of whom shall serve the first year, three (3) of whom shall serve the first two (2) years, and two (2) of whom shall serve the first three years. The five (5) members appointed yearly thereafter shall serve terms of three (3) years. Of the first five (5) members appointed after the appointment of the original fifteen (15) members, three (3) shall be appointed by the Mayor and two (2) shall be appointed by the County Judge Executive. The Mayor and the County Judge shall alternate as to the number of members each appointing authority appoints each year thereafter. Members appointed by each appointing authority may be removed by that appointing authority with the~~

~~approval of the appointing authority's legislative body. "Appointing authority": as used herein shall include successors.~~

Effective January 1, 2008, the number of members constituting the Commission shall be nine (9), with five (5) members appointed by the County Judge-Executive, with the approval of Fiscal Court; and four (4) members appointed by the Mayor of the City of Russellville, with the approval of City Council.

Effective January 1, 2008, the County Judge-Executive shall appoint two (2) members to serve a term of two (2) years, and three (3) members to serve a term of three (3) years. The Mayor of the City of Russellville shall appoint two (2) members to serve a term of two (2) years, and two (2) members to serve a term of three (3) years.

Each member of the Commission shall continue to be a member of the Commission upon the expiration of his term in office unless and until his successor is duly appointed.

Any member appointed may be removed for cause by the appointing authority from such office by action of the County Judge Executive, with the approval of Fiscal Court, or by action of the Mayor, with the approval of the City Council of such city.

A member of the Commission is eligible for reappointment. No more than one elected city official and one elected county official shall be a member of the Commission at any one time. The members shall serve without compensation.

B. Section 5 of the Ordinance is hereby amended as follows:

5. Powers and Duties: In performing its functions, the Commission may have the following powers and duties:
 - ~~(a) to recommend the employment of an executive director within the limits of funds made available.~~
 - ~~(a)~~
 - ~~(b)~~ to conduct or arrange for research projects and studies into, and publish reports on discrimination and progress in equal opportunity in the community, within the limits of funds made available.
 - ~~(b)~~
 - ~~(c)~~ to accept gifts or bequests, grants, or other payments, public or private, to help finance its activities, and to deliver to the county and city at least quarterly reports, showing all receipts and expenditures and such other documentation as may be required by the county and/or city.

- (c)
- ~~(d)~~ to refer matters to appropriate authorities.
- (d)
- ~~(e)~~ to recommend methods for elimination of discrimination and intergroup tensions, and to use its best efforts to secure compliance with its ~~recommendaitions~~ recommendations;
- (e)
- ~~(f)~~ to refer complaints of discrimination to the Kentucky Commission on Human Rights where full legal remedies including back pay and damages for embarrassment and humiliation may be obtained. The Commission members and staff shall assist ~~complaints~~ complainants in filing such complaints.
- (f)
- ~~(g)~~ to cooperate with other intergroup relations agencies, both public and private, on the local, state, and national level in performing its functions under this ordinance;
- (g)
- ~~(h)~~ to cooperate with the various departments, agencies, and boards of the county and city and of the Commonwealth in effectuating the purposes of this ordinance;
- (h)
- ~~(i)~~ to enlist the support of civic, labor, religious, professional, and educational organizations and institutions in community activities and programs that will further the goals of this ordinance;
- (i)
- ~~(j)~~ to organize community committees and councils that work toward the goals of this ordinance;
- (j)
- ~~(k)~~ to recommend legislation to the county and/or City legislative bodies and modes of executive action to the County Judge Executive and Mayor that will effectuate the purposes of this ordinance;
- (k)
- ~~(l)~~ to submit an annual report of its activities and of the progress and problems in intergroup relations in the community to the County Judge Executive and Mayor and their legislative bodies.

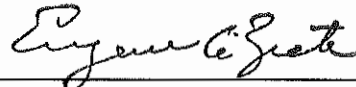
C. SEVERABILITY. The provisions of this Ordinance are severable. If any sentence, clause or part of this Ordinance or the application thereof to any particular state of case is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or repeal any of the remaining provisions, sentences, clauses or sections or parts of this Ordinance, it being the legislative intent of this body to ordain and in act each other.

D. REPEAL OF EXISTING ORDINANCES. All ordinances or parts of ordinances in conflict herewith now in effect, to the extent of said conflict, are hereby repealed.

E. EFFECTIVE DATE. This ordinance shall become effective upon passage and publication as required by law.

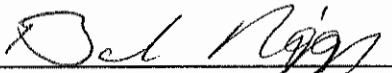
FIRST READING conducted the 4th day of September, 2007.

SECOND READING and passage this the 11th day of September, 2007.



GENE ZICK, MAYOR

ATTEST:



BOB RIGGS, CITY CLERK

Ayes: Davenport, Jimmy; Jones, Russell; McPherson, Lanny; Philips, Chuck; Stratton, Mark; Whipple, Jack.

Nays: none.

Absent: Davenport, Jimmy.

Abstaining: none.

LEGAL PUBLICATION OF ORDINANCE IN SUMMARY

The City Council of Russellville, Kentucky, has enacted Ordinance 2007-15 entitled "AN ORDINANCE AMENDING ORDINANCE 86-2, 'AN ORDINANCE CREATING RUSSELLVILLE-LOGAN COUNTY COMMISSION ON HUMAN RIGHTS' BY REDUCING THE NUMBER AND COMPOSITION OF COMMISSION MEMBERS; AND BY ELIMINATING THE NEED FOR AN EXECUTIVE DIRECTOR; CONTAINING A SEVERABILITY CLAUSE, REPEALER CLAUSE AND ESTABLISHING AN EFFECTIVE DATE."

In accordance with KRS 86A.060(9), the undersigned, a licensed, practicing attorney in the Commonwealth of Kentucky, summarizes this Ordinance as follows:

1. This Ordinance lowers the number of Commission members from 15 to 9, and provides for staggered terms of office.
2. This Ordinance removes the need for appointment of an Executive Director.
3. This Ordinance provides for members to remain in office until a new member is appointed, and provides for removal from office by the appointing authority.

The City Council of Russellville, Kentucky enacted this Ordinance after a first reading conducted on September 4, 2007 and a second reading on September 11, 2007.

CERTIFICATION OF COUNSEL

I hereby certify the foregoing is an accurate summary of Russellville Ordinance 2007-15.

C. Robert Hedges
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