

CHAPTER 8

SALEM HUMAN RIGHTS AND RELATIONS ADVISORY COMMISSION

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8.010. Human Rights and Relations Advisory Commission Created.

(a) The Salem Human Rights and Relations Advisory Commission is hereby created. The commission shall consist of fifteen members to be appointed by the mayor, said appointments to be representative of the residents of the City of Salem. The commission shall have the powers and duties hereinafter set forth. Except as provided in subsection (b) of this section, the term of office of the appointive members shall be three years, or until their successors are appointed and qualified. Their terms shall be staggered so that the term of office of not more than five will expire in the same year. Any vacancy in said commission shall be filled by appointment made by the mayor for the unexpired portion of the term. Members may be reappointed, except that a member who has served two full three year terms may not be reappointed until after the expiration of one full year from the date of expiration of his or her immediate previous term of office. The members of the commission shall receive no compensation for their services.

(b) Commencing with the first vacancy to be filled on the Commission after March 9, 1998, one member shall be the youth member. The youth member shall be not younger than 15 and not older than 21 years of age at the time of appointment. The term of the youth member shall be one year, except that the first appointment after March 9 may be for a term of less than one year. The youth member may be reappointed for not more than one additional one-year term. (Ord No. 113-67; Ord No. 59-75; Ord No. 40-76; Ord No. 56-77; Ord No. 64-85; Ord No. 10-93; Ord No. 46-96; Ord No. 13-98; Ord No. 26-98)

8.020. Organization of Commission.

(a) The commission shall elect a president and a vice-president who shall hold office at the pleasure of the commission.

(b) The City of Salem shall provide a secretary to the commission and other necessary staff. The secretary shall keep an accurate record of all proceedings of the commission and shall perform such other duties as may be imposed by the commission.

(c) The commission shall meet at least four times each year and at such other times as it may provide by its bylaws.

(d) The commission may make, establish, and alter bylaws for its government and procedure consistent with the laws of the State of Oregon and with the charter and ordinances of the City of Salem. (Ord No. 113-67)

8.030. General Powers and Duties of the Commission. The commission shall have no executive or administrative powers or authority except as herein provided, and this ordinance shall not be construed as depriving any city, county, or school district elected or appointed official of any power they may have under the laws of the state or the charter of the city. The commission shall be advisory and shall have powers, duties, and functions as follows:

(a) Promote harmonious intergroup relations within the City of Salem by enlisting the cooperation of various racial, religious, and nationality groups, business, community, labor, and governmental organizations, fraternal and benevolent associations, educational and other groups.

(b) Examine sources of tension, practices of discrimination and acts of prejudice in the City of Salem.

(c) Perform such conciliatory services as would not conflict with the functions of any other government agency.

(d) Make recommendations concerning solutions to specific problems of prejudice or discrimination.

(e) Recommend to the city council, action, policies, and legislation to be considered by state and local governments.

(f) Take action upon alleged violations of chapter 97 of this Code as provided in this chapter.

(g) Make such reports to the council as the council may request. (Ord No. 113-67; Ord No. 60-72; Ord No. 40-76; Ord No. 56-77; Ord No. 11-84; Ord No. 61-93; Ord No. 51-96)

8.050. Definitions. As used in SRC 8.050 to 8.190, except where the context otherwise requires, the definitions set forth in SRC 97.010 shall apply. (Ord No. 60-72)

8.060. Action Upon Complaints of Violations of Chapter 97.

(a) Upon receiving a complaint of a possible violation of the provisions of chapter 97 of this Code, the commission shall provide information to the complainant concerning options to resolve the complaint, including but not limited to the provisions of this section and referral to governmental officers or bodies with authority over the complaint.

(b) If the complaint is not referred to a governmental officer or body under subsection (a) of this section or withdrawn by the complainant, the commission shall determine if the complaint is timely under SRC 8.180 and has a reasonable basis.

(c) If the complaint is timely under SRC 8.180 and has a reasonable basis, the commission shall attempt to resolve the complaint through informal means, including but not limited to factfinding, mediation and discussion with all parties concerning the complaint. "Factfinding" means identification of the major issues in the particular dispute by one or more commissioners or other impartial individuals who review the positions of the parties, resolve factual differences and make recommendations for settlement of the dispute.

(d) If informal resolution of the complaint under subsection (c) of this section is not achieved, the commission shall refer the matter to the city attorney for determination as to whether a complaint for an infraction or crime should issue in municipal court. (Ord No. 60-72; Ord No. 40-76; Ord No. 61-93)

8.170. Duties of the City Attorney. In addition to giving legal advice and counsel to the commission, and prosecuting on behalf of the city all criminal complaints filed in municipal court, the city attorney shall review any case which comes before him or her involving possible violations of chapter 97 of this Code, and shall, determine whether a complaint for an infraction or crime should issue in municipal court. (Ord No. 60-72; Ord No. 61-93)

8.180. Limitations on Actions Upon Complaints. The commission shall dismiss any complaint concerning an alleged violation of the provisions of chapter 97 of this Code where such violation is found to have been committed more than one year prior to the receipt of the complaint by the commission. (Ord No. 60-72; Ord No. 61-93)

8.190. Conflicts With State Agencies. The commission shall, upon learning that there is a proceeding pending before any state court or administrative agency or tribunal having jurisdiction to administer or enforce the provisions of ORS chapter 659, regardless of when such

proceeding was commenced, abate any matter before the commission involving the same subject matter and parties and forward to the appropriate officer of such court, agency, or tribunal a full report of the matter by the commission. The commission shall then furnish whatever assistance and cooperation may be requested by the state officer. (Ord No. 60-72; Ord No. 61-93)