

CITY OF DOVER ORDINANCE #2013-15

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Chapter 58 - Human Relations, Article II - Human Relations Commission, be amended to read as follows:

Sec. 58-31. Purpose.

The city council has deemed it to be in the best interest of the city to establish a human relations commission to include members who are broadly representative of the entire community and who are committed to a philosophy of inclusion, intergroup cooperation, and fair treatment that will effectively help the city meet the following needs:

- (1) *Fairness, respect.* Promote and develop an environment of fairness and respect among its citizens;
- (2) *Monitoring.* Develop ways to measure and monitor community relations, particularly those that are sources of intergroup conflict;
- (3) *Intergroup relations.* Involve all segments of the community in understanding and appreciating the benefits of positive intergroup relations;
- (4) *Issues.* Offer a range of programs and services that will help its residents and neighborhoods prevent and resolve issues of human relations; and
- (5) *Intergroup conflict.* Develop ways of anticipating, preparing for, and relieving community tensions arising from intergroup conflict.

(Code 1981, § 2-16; Ord. of 2-11-2002)

Sec. 58-32. Established; composition; appointment; representation; holding other office; removal from office; terms of office; vacancies; reappointments.

- (a) *Established.* There is hereby established an advisory commission to be known as the "City of Dover Human Relations Commission," to carry out the objectives as described in this article.
- (b) *Composition; appointment.* The members of the human relations commission shall be appointed by the president of the council, based upon recommendations from and subject to confirmation by the council. The human relations commission shall consist of nine members, all residents of the city. Two members shall be selected from each council district and one member shall serve from the city at-large.
- (c) *Representation.* In selecting the membership of the commission, particular care shall be taken to ensure that the commission is broadly representative of racial, religious, gender and ethnic groups residing in the city.

- (d) *Holding other office; removal.* No member of the commission shall hold any elected or appointed office under the government of the United States or the state, county, or city. The city council president may remove members of the commission, with the concurrence of the city council, for substantial neglect of duty, or gross misconduct in office.
- (e) *Terms of office; vacancies.* A member of the commission shall be appointed for a term of office of three years and until his successor has been appointed. The appointees shall be appointed for staggered terms of office. When a vacancy occurs in the membership of the commission, it shall be filled by appointment for the unexpired portion of the term in the same manner as the original appointment.
- (f) *Reappointments.* Members may be reappointed.

(Code 1981, § 2-17; Ord. of 2-11-2002; Ord. No. 2010-23, 8-23-2010)

Sec. 58-33. Organization; quorum; meetings; rules of procedure; limitation of functions; agreements; compensation; legal counsel; reports.

- (a) *Organization.* The human relations commission shall annually elect its own chairperson to preside over its meetings and may create and fill such other offices and committees among its members as may be found necessary and proper for its effective organization.
- (b) *Quorum.* A majority of the membership of the commission shall constitute a quorum and, if a quorum is present, a vacancy on the commission shall not impair the right of the remaining members to exercise all the powers of the commission.
- (c) *Meetings.* The commission shall hold at least five meetings per year; one each quarter and one to be determined by the commission. Special meetings may be called by the chairperson or three members of the commission.

All meetings shall be held at City Hall and in accordance with the Laws of Delaware regarding the Freedom of Information Act (FOIA) and City of Dover procedures. The commission will distribute its agendas and minutes through the City Clerk's Office.

- (d) *Rules of procedure.* The commission is also authorized to adopt rules of procedure for the conduct of its meetings.
- (e) *Functions limited.* The commission shall not involve itself in activities or functions already assigned by law or decree to other governmental bodies.
- (f) *Agreements.* The commission may enter into agreements and build partnerships with other entities and organizations for the purpose of more efficiently and effectively carrying out its responsibilities.
- (g) *Compensation.* Members of the commission shall receive no compensation.

- (h) *Legal counsel.* The city solicitor shall provide legal counsel to the commission and shall be the legal representative of the commission in connection with its duties hereunder, on a case-by-case basis, or determine that outside counsel is needed and obtain such outside counsel for a particular matter.
- (i) *Reports.* The commission shall report to the city council on a quarterly basis regarding its affairs. An annual report of its accomplishments and a summary of its recommendations shall be provided to the mayor and the city council.

(Code 1981, § 2-18; Ord. of 2-11-2002)

Sec. 58-34. Expenses.

- (a) *Budget.* The city council may appropriate a budget for the city human relations commission to provide for necessary expenses and expenditures.
- (b) *Other funding.* The commission may also receive funding from other governmental, philanthropic or private organizations for the exclusive purpose of carrying out its responsibilities.

(Code 1981, § 2-19; Ord. of 2-11-2002)

Sec. 58-35. Conflicts of interest.

If any member of the human relations commission concludes that they have a conflict of interest with respect to a matter which is pending before the commission, that member shall disqualify themselves from participating in any deliberations, discussions and decision making processes of the commission.

(Code 1981, § 2-20; Ord. of 2-11-2002)

Sec. 58-36. Powers and duties.

The powers and duties of the human relations commission shall be to:

- (1) *Recommendations.* Review city programs, activities, functions and ordinances, and make recommendations to the city council for new, amended or changed programs, functions, activities or ordinances which would support inclusiveness and civility among city residents and enhance communication and understanding among residents of the city;
- (2) *Intergroup conflicts.* Inquire into incidents of intergroup conflicts and disputes within the city and take such action as may be designed to alleviate such conflicts and disputes;
- (3) *Intergroup cooperation.* Promote and encourage communications between and cooperation of all groups interested in bettering human relations in the city;

- (4) *Complaints.* Seek the active assistance of the state human relations commission in the solution of complaints of alleged discrimination which fall within the jurisdiction of the state commission;
- (5) *Research, education, etc.* Engage in such research, education and advocacy as, in the judgment of the commission or the city council, may be needed to improve human relations in the city;
- (6) *Programs.* Develop and maintain programs that build positive relations among communities and enhance problem-solving skills among residents throughout the city;
- (7) *Other functions.* Do all other acts and deeds necessary and proper to carry out and effectively accomplish the objectives, functions and services contemplated by the provisions of this article.

(Code 1981, § 2-21; Ord. of 2-11-2002)

ADOPTED: SEPTEMBER 23, 2013

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Actions History

September 23, 2013 - Public Hearing/Final Reading
September 9, 2013 - First Reading at Council
August 26, 2013 - Introduced at the Legislative, Finance, and Administration Committee