



## ORDINANCE NO. 28859

1 BY REQUEST OF MAYOR WOODARDS, DEPUTY MAYOR USHKA, AND  
2 COUNCIL MEMBERS DIAZ AND RUMBAUGH

3 AN ORDINANCE relating to human rights; including protections against  
4 discrimination based on an individual's actual, potential, perceived, or  
5 alleged pregnancy outcomes; and amending Chapters 1.07, 1.24, 1.29,  
6 1.45, 6B.220, and 16A.03.080 of the Tacoma Municipal Code.

7 WHEREAS, on June 24, 2022, the U.S. Supreme Court issued a  
8 decision in *Dobbs v. Jackson Women's Health Organization* (No. 19-1392)  
9 overruling the constitutional right to an abortion established by *Roe v. Wade*,  
10 410 U.S. 113, and *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U.S.  
11 833, and repudiating a constitutional right to privacy, and

12 WHEREAS the majority opinion in *Dobbs* returns the issue of whether  
13 and to what extent to provide access to abortion to the states, and

14 WHEREAS, in 1991, the people of Washington initiated the Reproductive  
15 Privacy Act, which affirms the fundamental right of persons in Washington to  
16 privacy with respect to personal reproductive decisions and proscribes the  
17 authority of the state to deny or interfere "with a pregnant individual's right to  
18 choose or refuse to have an abortion," and

19 WHEREAS The New York Times estimates that after *Dobbs*, with current  
20 and likely trigger laws banning abortions in up to 24 states, as many as 17 million  
21 persons capable of being pregnant would not have access to local abortion  
22 services, and  
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WHEREAS sexual and reproductive health and rights organizations estimate that after *Dobbs* Washington will see an increase in persons traveling to the state to seek abortion services, and

WHEREAS, through Chapter 65, Laws of 2022, the State amended chapter 9.02 of the Revised Code of Washington (RCW) declaring: “The state shall not penalize, prosecute, or otherwise take adverse action against an individual based on their actual, potential, perceived, or alleged pregnancy outcomes,” and

WHEREAS, restricting and/or denying access to abortion services will have a disproportionate impact on poor communities and Black, Indigenous, or People of Color (BIPOC) communities, and

WHEREAS the City of Tacoma values being an open, welcoming, and inclusive city of opportunity for all its residents, workers, and visitors, and

WHEREAS the City recognizes that everyone has a fundamental right to bodily autonomy including transgender and gender diverse communities, and

WHEREAS the City recognizes that transgender and gender diverse people with the capacity to become pregnant face increased barriers and stigma when accessing abortion services, and

WHEREAS the City of Tacoma is committed to recognizing the dignity of all its residents, workers, and visitors, including the right to reside, work, and visit a City that does not subject them to prejudicial treatment or discrimination;

Now, Therefore,



BE IT ORDAINED BY THE CITY OF TACOMA:

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Section 1. That Chapters 1.07, 1.24, 1.29, 1.45, 6B.220, and 16A.03.080 of the Tacoma Municipal Code, are hereby amended as set forth in the attached Exhibit "A."

Section 2. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney



EXHIBIT "A"

**CHAPTER 1.07  
EQUITY IN CONTRACTING**

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**1.07.030 Discrimination prohibited.**

A. No person that is engaged in the construction of public works for the City, engaged in the furnishing of laborers or craftspeople for public works of the City, or is engaged for compensation in the provision of non-public works and improvements supplies and/or services to the City, shall discriminate against any other person on the basis of race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial status, or the presence of any sensory, mental or physical disability, or ["pregnancy outcomes" under TMC 1.29.040](#), in employment. Such discrimination includes the unfair treatment or denial of normal privileges to a person as manifested in employment upgrades, demotions, transfers, layoffs, termination, rates of pay, recruitment of employees, or advertisement for employment.

B. The violation of the terms of RCW 49.60 or Chapter 1.29 TMC by any person that is engaged in the construction of public works for the City, is engaged in the furnishing of laborers or craftspeople for public works of the City, or is engaged for compensation in the provision of non-public works and improvements supplies and/or services shall result in the rebuttable presumption that the terms of this chapter have also been violated. Such violation may result in termination of any City contract the violator may have with the City and/or the violator's ineligibility for further City Contracts.

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## CHAPTER 1.24 PERSONNEL RULES

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3 **1.24.820 Employee complaints.**

4 STATEMENT OF POLICY:

5 It shall be the policy of the City of Tacoma to adjust complaints of employees promptly and fairly. Within  
6 the framework of existing laws and regulations, every effort shall be made to adjust complaints in a  
7 manner mutually satisfactory to employees and management without any interference or subsequent  
8 discrimination against employees who may seek to adjust a complaint.

9 It shall be the policy of the City to make every attempt to resolve complaints within the department at the  
10 lowest possible level. An employee is expected to discuss any complaint initially with the employee's  
11 immediate supervisor. If the informal answer given by the employee's supervisor is not satisfactory, the  
12 employee may appeal in the following manner:

13 Step 1. Within 10 days following the initial contact with the employee's supervisor the employee or the  
14 employee's designated representative will present the employee's specific complaint to the employee's  
15 supervisor in writing. The supervisor will, within five working days, render to the employee the decision  
16 and the reasons for it in writing. If the employee is not satisfied with the answer given, the employee may  
17 appeal as follows:

18 Step 2. Within five working days of receipt of the supervisor's answer, the employee (or designated  
19 representative) will forward the complaint in writing to the employee's division head or the head of the  
20 department. The division or department head will, within five working days, render to the employee the  
21 decision and the reasons for it in writing. If the employee is not satisfied with the answer given, the  
22 employee may present the complaint to the Civil Service Board as follows:

23 Step 3. Within five working days of receipt of the division or department head's answer, the employee (or  
24 designated representative) will forward the complaint in writing to the Human Resources Director who  
25 shall, within 10 working days, file a report with the Civil Service Board stating the nature of the  
26 complaint, the procedures utilized thus far in an attempt to resolve it and the issues unresolved. The Civil  
Service Board shall then act as a complaint board and in appropriate circumstances set a time and place  
for hearing such complaint.

At the conclusion of a hearing on a complaint, the Board shall render its findings.

GENERAL PROCEDURES:

A. The Board may call as witnesses at a complaint hearing any persons whose testimony will contribute  
to the adjustment of the complaint.

B. All parties to the complaint shall be notified and have the right to be heard at the hearing or to be  
represented by a person of their own choosing.

C. Hearings shall be held at such times and in such manner as may be determined by the Board.

D. Failure by management to reply to the employee's complaint within the time limits specified  
automatically processes the complaint to the next level.

E. If an employee fails to submit a complaint from one level to the next level within the time limits  
established in this complaint procedure, the complaint shall be considered settled on the basis of the last  
decision.

F. Any level of review or any time limits established in this procedure may be waived or extended by  
mutual agreement confirmed in writing or by action of the Civil Service Board.



G. A complaint must clearly state the basis thereof and the nature of the remedy sought by the employee or employee's representative. Complaints which the Board determines are without merit shall be rejected.

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H. None of the above provisions are intended to prevent or dissuade an employee from processing a complaint which the employee believes to involve discrimination based on race, sex, religion, color, national origin, age, marital status, ~~or~~ presence of a handicap, or "pregnancy outcomes" under TMC 1.29.040, through the employee's departmental Equal Employment Opportunity Representative or through the City Human Relations Department. The Board shall dismiss any complaint or portions of a complaint which has been filed with a city, state or federal agency or court having authority to order remedy in the case.

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**1.24.830 Prohibition.**

No person in the City Service or person seeking admission to the City Service shall be appointed, promoted, reduced, or removed, or in any way favored or discriminated against because of religion, race, sex, age, marital status, national origin, politic affiliation or the presence of mental, physical or sensory handicap, or "pregnancy outcomes" under TMC 1.29.040, that does not prevent proper performance of the job. No person shall willfully or knowingly make any false statement, certificate, mark, rating, or report in regard to any test, certificate or appointment held or made under the municipal personnel system or in any manner commit or attempt to commit any fraud preventing the impartial execution of the Personnel Rules. No person seeking appointment to or promotion in the City Service shall either directly or indirectly give, render, or pay any money, service, or other valuable thing to any person for or on account of or in connection with the test, appointment, proposed appointment, promotion, or proposed promotion.



**CHAPTER 1.29**  
**HUMAN RIGHTS COMMISSION**

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- Sections:
- 1.29.010 Findings.
  - 1.29.020 Creation of a Human Rights Commission.
  - 1.29.030 Commission Responsibilities of the Office of Equity and Human Rights.
  - 1.29.040 Definitions.
  - 1.29.050 Unlawful discriminatory employment practices.
  - 1.29.060 Additional unlawful discriminatory practices.
  - 1.29.070 Liberal construction.
  - 1.29.080 Severability.
  - 1.29.090 Savings clause.
  - 1.29.100 Unlawful discriminatory housing practices.
  - 1.29.110 Discrimination in residential real estate-related transactions.
  - 1.29.120 Prohibition against discrimination because of disability.
  - 1.29.130 Housing for older persons.
  - 1.29.140 Interference, coercion or intimidation.
  - 1.29.150 Adjustment and settlement of complaints.
  - 1.29.160 Election for civil action in lieu of hearing for housing cases.
  - 1.29.170 Enforcement of fair housing provisions by private persons.
  - 1.29.180 Labeling of single-occupant restrooms
  - 1.29.190 Provision of Universal Closed Captioning.

**1.29.010 Findings.**

In response to the problem of unlawful discrimination, the City Council of the City of Tacoma hereby finds that unlawful discrimination on the basis of race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial status, honorably discharged veteran or military status, disability, ~~or~~ source of income, or “pregnancy outcomes,” is inimical to the public welfare and good order of the City of Tacoma. The City Council accordingly finds it necessary, in the exercise of its police powers for the protection of the public health, safety, and welfare, to prohibit such discrimination and to initiate action for the remedy and prevention of unlawful discriminatory acts. Pursuant to this finding, and in accordance with the City of Tacoma's policy of providing and assuring equal opportunity for all Tacoma residents in the areas of employment, education, credit, insurance, access to public accommodations, and the acquisition of real property, the City Council, in order to effect this policy and to achieve the City's goal of eliminating unlawful discrimination, hereby creates and empowers a commission to study and investigate problems of prejudice, bigotry, and discrimination, and to encourage and coordinate the implementation of programs consistent with the needs and the rights of all residents of the City of Tacoma. The Council also hereby establishes an administrative agency to support and assist this commission and to be responsible for the monitoring and enforcement of anti-discrimination ordinances and resolutions within the City.

**1.29.020 Creation of a Human Rights Commission.**

There is hereby established a commission, to be known as the Human Rights Commission of the City of Tacoma (hereinafter referred to as the "Commission"), consisting of 15 members representative of the general public, such as students; employer groups; the housing industry; and labor, religious, racial, ethnic, disabled, and women's groups in the City, to be nominated and appointed in accordance with City Council rules and procedures.

A. Duties and Powers of the Commission.

The Commission shall have the duty and power to:



1. Initiate complaints charging unlawful practices as set forth in this chapter; provided, that no such action shall be taken with respect to any complaint within the exclusive jurisdiction of any state or federal agency. Each Commissioner shall have the power to initiate a complaint, whether or not such Commissioner is aggrieved, subject to approval by the Commission.

2. Review and act upon case closures as recommended by the Office of Equity and Human Rights staff, petitions for reconsideration, and/or conciliation agreements.

3. Study, investigate, mediate, and hold public meetings on communitywide problems arising in the City of Tacoma which may result in intergroup tensions or discrimination, including race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial status, honorably discharged veteran or military status, ~~or~~ disability, or ["pregnancy outcomes."](#) and make such technical studies as are appropriate to effectuate the purpose and policies of this chapter.

4. Consult with and maintain contact with other public agencies, civil rights organizations, representatives of employers, labor unions, property owners, associations, realtor associations, religious denominations and institutions, professional associations, national origin groups, community organizations concerned with interracial, interreligious and intercultural understanding, social welfare organizations, and any other such organizations and institutions as directed by the City Council or as the Commission shall deem advisable to further the objectives of this chapter.

5. Cooperate with and make written recommendations to the Mayor, City Council, City Manager, and City department heads toward the development and implementation of programs and practices for the purpose of furthering the objectives of this chapter.

6. Form committees and subcommittees and appoint persons, in addition to members of the Commission, to such committees and subcommittees in order to assist the Commission in effectuating the purposes of this chapter.

7. Perform such other functions and duties as may be directed by the City Council or prescribed or authorized by any resolution or ordinance of the City.

In prescribing the above duties and functions of the Commission, it is not the intent of the City Council to duplicate or overlap the functions, duties, or responsibilities heretofore or hereafter assigned to any department, board, or committee of the City or the responsibilities of the City Manager. Upon request, the Commission shall cooperate with and render assistance and make recommendations to all public officials, departments, and public or private organizations or citizens.

8. The Commission is specifically authorized to adopt and promulgate interpretive rules, regulations, and guidelines to properly implement and administer the provisions hereof. Rules, regulations, and guidelines thus adopted shall be approved by resolution of the City Council of the City of Tacoma prior to their becoming effective.

9. The Commission is specifically authorized to make rules and regulations governing its organization and procedures which are not inconsistent with this chapter or any other chapter or section of the Tacoma Municipal Code.

#### B. Terms of Office of Commissioners.

The term of office of all members of the Commission shall be three years, except for the student member whose term of office shall be for a period no longer than two years or until no longer a student or until attainment of age 24, whichever occurs first; provided, that any individual appointed to fill a vacancy other than a student member shall be appointed only for the unexpired term of the member whom he or she succeeds. Each member of the Commission shall serve only until the expiration of his or her individual term of office. Failure to maintain his or her status as a student shall act as a forfeiture of the student member's Commission position. Any member of the Commission may be removed by the Mayor and City Council for misconduct or malfeasance in office after being given a written statement outlining such behavior and an opportunity to be heard thereon.

#### C. Termination of Commissioners for Absence.





1 The appointment of any member of the Commission who has been absent from three consecutive regular  
2 or special meetings of the Commission without approval of said Commission shall automatically  
3 terminate. The City Clerk shall notify any member whose appointment has automatically ended and  
4 report to the appointing authority that a vacancy exists on said Commission and that an appointment  
5 should be made for the unexpired term. The Commission shall have the power and authority to excuse  
6 any member from attendance at any regular business meeting or study session for good cause. The  
7 Commission shall also have the power and authority to create and execute a more rigid standard of  
8 attendance should a majority of Commission members deem such standard necessary for the effective  
9 functioning of the Commission.

10 D. Commission Officers.

11 The Commission shall elect one of its members as Chairperson and one of its members as Vice-  
12 Chairperson, each of whom shall hold office for a period of two years or until his or her successor is duly  
13 elected, unless his or her term as a member of the Commission expires sooner.

14 E. Commission Meetings and Procedures.

15 The Commission shall establish a regular time and place of meeting and shall hold at least one regular  
16 meeting each month. Special study sessions may be called by the Chairperson or by a simple majority of  
17 the Commission members. Personal notice of all special study sessions shall be given to all Commission  
18 members by mail or by telephone at least 24 hours prior to the start of such study session.

19 1. Quorum of the Commission.

20 A simple majority of those Commission members duly appointed and acting in office at any given time  
21 shall constitute a quorum of the Commission at that time. An affirmative vote of at least a majority of  
22 those Commissioners present at any given meeting is required to take any official action at such meeting;  
23 provided, that a majority vote of the entire Commission shall be required for a finding or decision of the  
24 Commission.

25 2. Commission Public Meetings.

26 All regular, special, and business meetings of the Commission shall be held in strict accordance with and  
pursuant to any and all applicable state laws as the same now exist, or as hereafter amended, with respect  
to open and public meetings.

**1.29.030 Commission Responsibilities of the Office of Equity and Human Rights.**

A. In accordance with all appropriate local, state, and federal laws, and within the legal geographic  
boundaries of the City of Tacoma, the Office of Equity and Human Rights staff shall:

1. Receive and conduct impartial investigations of complaints that have been filed by individuals who  
believe they have been discriminated against due to their race, religion, color, national origin or ancestry,  
sex, gender identity, sexual orientation, age, marital status, familial status, honorably discharged veteran  
or military status, disability, ~~or~~ source of income, or "pregnancy outcomes"; and seek the satisfactory  
adjustment of such complaints; provided, that no such action shall be taken with respect to any complaint  
within the exclusive jurisdiction of any state or federal agency.

2. Conduct fact-finding conferences through the City Attorney, subpoenaing witnesses and such books,  
papers, records, files, etc., as are deemed necessary during an investigation, and requiring and compelling  
the attendance and testimony of such witnesses and the production of such books, papers, records, files,  
etc., for examination and reproduction; making findings of fact; publishing such findings as appropriate;  
and doing all things necessary and proper for the enforcement of this chapter.

3. Notify all appropriate parties to the charge of the decisions rendered as a result of the staff's  
investigation.



1 4. Make recommended findings to the Commission based upon its finding of fact as discovered through investigation. If it is discovered that an unlawful violation has occurred and efforts to conciliate the matter fail, it may be necessary to forward the case to the City's Hearing Examiner for a public hearing.

2 5. Prepare and disseminate educational and informational material relating to prejudice and discrimination and ways and means of eliminating such prejudice and discrimination.

3 6. Cooperate with and provide information, guidance, and technical assistance to other public agencies and to private persons, organizations, and institutions engaged in activities and programs intended to eliminate prejudice and discrimination.

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5 7. Consult with, and maintain contact with, other public agencies, civil rights organizations, representatives of employers, labor unions, property owners, associations, realtor associations, religious denominations and institutions, professional associations, national origin groups, community organizations concerned with interracial, interreligious and intercultural understanding, social welfare organizations, and any other such organizations and institutions as directed by the City Council or as the Commission shall deem advisable to further the objectives of this chapter.

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8 B. The Director shall send all notices to Commission members; keep and maintain all minutes, documents, and other papers of the Commission; comply with all assignments the Commission may make in the conduct of its business; and perform such other specific tasks and assignments concerning human rights as may be requested by the City Manager. Unless specifically provided otherwise, all duties and powers assigned to the Director may be delegated by the Director.

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11 C. Subpoena power.

12 Subpoenas issued under this section shall be prepared and signed under the direction of the City Attorney's Office. No person shall be excused from attending fact-finding conferences and testifying or from producing records, correspondence, documents, or other evidence in obedience to the subpoena on the ground that the testimony or evidence required may tend to incriminate or to subject such person to a penalty or forfeiture. However, no person shall be prosecuted or subjected to any penalty or forfeiture for, or on account of, any transaction, matter, or thing concerning which testimony is compelled after such person has claimed a privilege against self-incrimination, except that such person so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying. The immunity herein provided shall extend only to natural persons compelled to testify.

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16 In case of contumacy or refusal to obey a subpoena issued to any person, the Office of Equity and Human Rights may, through the City Attorney's Office, petition the Superior Court to issue to such person a subpoena requiring such person to appear before the Commission, its member, agent, or staff, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question. Failure to obey a subpoena of the Superior Court may be punished by the Court as a contempt thereof.

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20 **1.29.040 Definitions.**

21 As used in this chapter:

22 "Age" refers to the number of years since one's birth and only individuals over the age of 40 are considered as a protected class.

23 "Bona fide occupational qualification (BFOQ)" refers to an exception when discrimination is legal where it is reasonably necessary to the normal operation of the employer's business (e.g., a Methodist church would not be discriminating if it refused to hire a Lutheran minister).

24 "Business necessity" refers to a policy or practice of screening potential employees on a criterion necessary for the safe and efficient operation of the business. Such a policy or practice is legal if it can be demonstrated to be job-related, to be effective in predicting employee performance, and if there is no acceptable alternative which would have less adverse impact on the class protected by law.



1 “Charging party” shall include any individual alleging on his or her own behalf to have been personally aggrieved by an unlawful discriminatory practice. Additionally, the Commission may initiate a charge alleging that an unlawful discriminatory act has been committed against a class of persons.

2 “Commission” means the Human Rights Commission of the City of Tacoma, Washington, herein created.

3 “Conciliation” means a written settlement generally providing full relief for the charging party after a determination of reasonable cause has been accepted. Such agreement requires the signatures of the respondent and a Commission representative. The charging party shall be signatory to such an agreement.

4 “Director” means the Director of the Office of Equity and Human Rights.

5 “Disability” means the presence of a sensory, mental, or physical impairment that:

6 (i) Is medically cognizable or diagnosable; or

7 (ii) Exists as a record or history; or

8 (iii) Is perceived to exist whether or not it exists in fact.

9 (a) A disability exists whether it is temporary or permanent, common or uncommon, mitigated or unmitigated, or whether or not it limits the ability to work generally or work at a particular job or whether or not it limits any other activity within the scope of this chapter.

10 (b) For purposes of the definition of “disability”, “impairment” includes, but is not limited to:

11 (i) Any physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitor-urinary, hemic and lymphatic, skin, and endocrine; or

12 (ii) Any mental, developmental, traumatic, or psychological disorder, including but not limited to cognitive limitation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

13 (c) Only for the purposes of qualifying for reasonable accommodation in employment, an impairment must be known or shown through an interactive process to exist in fact and:

14 (i) The impairment must have a substantially limiting effect upon the individual's ability to perform his or her job, the individual's ability to apply or be considered for a job, or the individual's access to equal benefits, privileges, or terms or conditions of employment; or

15 (ii) The employee must have put the employer on notice of the existence of an impairment, and medical documentation must establish a reasonable likelihood that engaging in job functions without an accommodation would aggravate the impairment to the extent that it would create a substantially limiting effect. A limitation is not substantial if it has only a trivial effect.

16 “Dwelling” means any building, structure, or portion thereof that is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land that is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.

17 “Educational institution” includes any private school or training center, except those affiliated with a nonprofit religious institution, which may give preference to members of that religious group in selecting its students.

18 “Employee” shall mean any person acting in the employ of an employer as herein defined, but such term shall not include any individual employed by his or her parent, spouse, or child.

19 “Employer” shall have the same meaning as set forth in the current Revised Code of Washington Section 49.60.040(3) and as hereafter amended.

20 “Employment agency” includes any person undertaking, with or without compensation, to recruit, procure, refer, or place employees for an employer.



“Familial status” means one or more individuals (who have not attained the age of 18 years) being domiciled with:

1. A parent or another person having legal custody of such individual or individuals; or
2. The designee of such parent or other person having such custody, with 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.

“Financial institution” includes any person or organization which participates in any open-end or closed-end credit transaction, whether in the nature of a loan, retail installment transaction, credit card issue or charge, or otherwise, and whether for personal or for business purposes, in which a service, finance, or interest charge is imposed, or which provides for repayment in scheduled payments, when such credit is extended in the regular course of any trade or commerce, including but not limited to: banks, savings and loan associations, or other financial lending institutions of whatever nature; stockbrokers; merchant or mercantile establishments; or owners of real property who, as part of their ordinary business, permit or provide that payment for purchases of property or service therefrom may be deferred.

“Gender identity” shall mean the status or perception of being transsexual, intersexed, transvestite, or transgendered. As used in this definition, the term “intersexed” refers to individuals who are born with some combination of both male and female genitalia.

“Honorably discharged veteran or military status” means a person who is:

A veteran, as defined in RCW 41.04.007 or

An active or reserve member in any branch of the armed forces of the United States, including the national guard, coast guard, and armed forces reserves.

“Labor organization” includes any organization which exists, in whole or in part, for the purpose of dealing with employers concerning grievances or the terms and conditions of employment, or for other mutual interests or protection in connection with any employment.

“Marital status” means the state of being unmarried, married, divorced, separated, or widowed.

“National origin” refers to one's real or perceived ancestry, heritage, background, or customs that indicate an individual or the individual's forbears came from a particular country.

“Negotiated settlement” means a signed agreement between the charging party and the respondent in a particular case prior to a finding on the merits of the charge. The Commission may also be signatory to such an agreement.

“No reasonable cause” means that a determination has been made that there was insufficient evidence produced by the staff's investigation to support a reasonable conclusion that unlawful discrimination has occurred or is occurring. Such determination completes the administrative process unless the charging party petitions the commission for reconsideration in writing and provides new evidence not previously considered in the course of the investigation.

“Pregnancy outcomes” means the results of a fertilization event and the results of the ensuing pregnancy as experienced by the individual who is or was pregnant. Examples of outcomes that are the results of a fertilization event includes, but are not limited to, live birth, stillbirth, miscarriage, and abortion. Examples of outcomes that are the result of an ensuing pregnancy include, but are not limited to, hyperemesis gravidarum (morning sickness), pregnancy-related anemia, preeclampsia, and perinatal depression, and includes an individual’s actual, potential, perceived or alleged “pregnancy outcome.”

“Owner” means any person, including managing agents, having the right of ownership or possession, or the right to sell, rent, lease, or sublease any real property.



1 “Person” includes one or more individuals, partnerships, associations, organizations, corporations, labor  
organizations, cooperatives, legal representatives, trustees, trustees in bankruptcy, receivers, or any group  
of persons; it includes any owner, lessee, proprietor, manager, agent, or employee, whether one or more  
natural persons; and further includes any agency or instrumentality of the City.

2 “People with disabilities” means the presence of any physical, sensory, or mental impairment which  
3 substantially limits one or more major life activities (e.g., self-care, ambulation, communication,  
4 transportation, education, socialization, and employment) but does not prevent the proper performance of  
the particular worker’s job duties.

5 “Public accommodation” includes any establishment which caters or offers its services, facilities, or  
goods to the general public.

6 “Real estate transaction” includes the sale, exchange, purchase, rental, lease, or sublease of real property.

7 “Real property” includes buildings, structures, dwellings, real estate, lands, tenements, leaseholds,  
interests in real estate cooperatives, condominiums, or any interest in such real property as defined herein;  
8 provided, however, that nothing herein contained shall be construed to include or apply to any  
columbarium, mausoleum, or cemetery operated or maintained by a nonprofit religious or sectarian  
institution.

9 “Reasonable cause” means that a determination has been made that the evidence produced by the staff’s  
10 investigation is sufficient to support a reasonable conclusion that unlawful discrimination has occurred or  
is occurring. Such determination allows for the continuance of the administrative process including, but  
11 not limited to, attempts at conciliation.

12 “Respondent” includes any person or entity against whom a complaint or charge of unlawful practice is  
filed with the Commission.

13 “Sexual orientation” shall mean actual or perceived homosexuality, bisexuality, or heterosexuality.

14 “Source of income” shall mean benefits or subsidy programs, including housing assistance, public  
assistance, emergency rental assistance, veterans benefits, social security, supplemental security income  
15 or other retirement programs, and other programs administered by any federal, state, local, or nonprofit  
entity. “Source of income” does not include income derived in an illegal manner.

16 “Student,” for purposes of appointment to the Tacoma Human Rights Commission, shall mean an  
individual who is at least 15 years of age and under 24 years of age at the time of his or her appointment  
17 and who is an enrolled student at the high school or college level.

18 “Staff” shall mean the staff of the Office of Equity and Human Rights.

19 **1.29.050 Unlawful discriminatory employment practices.**

20 The exclusion of a person from, or failure or refusal to extend to a person, equal opportunities because of  
21 race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital  
status, familial status, honorably discharged veteran or military status, or disability is hereby declared to  
be an unlawful discriminatory practice. Unlawful discriminatory practices shall include, but are not  
limited to, the following:

22 A. Employers.

23 It is an unlawful discriminatory practice for any employer to:

24 1. Fail or refuse to hire or to discharge an individual, or otherwise discriminate against an individual with  
respect to compensation, terms, conditions, or privileges of employment because of race, religion, color,  
25 national origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial status,  
honorably discharged veteran or military status, ~~or~~ disability, or “pregnancy outcomes,” unless based  
26 upon a bona fide occupational qualification; provided, however, that the prohibition against  
discrimination because of a sensory, mental, or physical disability shall not apply if such disability  
prevents the safe and competent job performance of the particular worker involved; provided further, that



1 it shall not be an unlawful practice for a nonprofit religious organization or institution to limit the hiring  
 2 of employees who will perform religious duties to those persons who are members or followers of such  
 3 religious organization, denomination, institution, or faith; provided further, that the prohibition against  
 4 discrimination shall not prevent employers from establishing and enforcing job-related dress code  
 5 policies.

6 2. Limit, segregate, or classify employees in any way which would deprive or tend to deprive an  
 7 individual of employment opportunities, or otherwise adversely affect that individual's status as an  
 8 employee because of race

9 , religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status,  
 10 familial status, honorably discharged veteran or military status, ~~or~~ disability, or "pregnancy outcomes";  
 11 provided, however that it shall not be an unlawful practice for an employer to segregate washrooms or  
 12 locker facilities on the basis of sex, unless there is only one such facility on the premises.

13 3. Confine or limit recruitment or hiring of employees, with intent to circumvent the spirit and purpose of  
 14 this chapter, to any employment agency, employment service, labor organization, training school, training  
 15 center, or any other employee-referring source which serves persons who are predominantly of the same  
 16 race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital  
 17 status, familial status, honorably discharged veteran or military status, ~~or~~ free of any disability, or  
 18 "pregnancy outcomes."

19 4. Require of any applicant for employment any information concerning race, religion, color, national  
 20 origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial status, honorably  
 21 discharged veteran or military status, ~~or~~ disability, or "pregnancy outcomes." unless based upon a bona  
 22 fide occupational qualification; provided, however, that this section shall not be construed in any way to  
 23 preclude or limit the applicability of any federal affirmative action programs to the extent to which such  
 24 information may be required by these programs. Nothing in this section shall be interpreted to mean that  
 25 employers shall be required to grant preferential treatment to any person on the basis of race, religion,  
 26 color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial  
 status, honorably discharged veteran or military status, ~~or~~ disability, or "pregnancy outcomes."

**1.29.060 Additional unlawful discriminatory practices.**

The exclusion of a person from, or failure or refusal to extend to a person, equal opportunities because of  
 race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital  
 status, familial status, honorably discharged veteran or military status, ~~or~~ disability, or "pregnancy  
 outcomes," is hereby declared to be an unlawful discriminatory practice. Unlawful discriminatory  
 practices shall include, but are not limited to, the following:

A. Financial Institutions.

It is an unlawful discriminatory practice for a financial institution or any person employed by or acting on  
 behalf of a financial institution:

1. To discriminate against any person because of race, religion, color, national origin or ancestry, sex,  
 gender identity, sexual orientation, age, marital status, familial status, honorably discharged veteran or  
 military status, ~~or~~ disability, or "pregnancy outcomes," in granting, withholding, extending, modifying, or  
 renewing the rates, terms, conditions, privileges, or other provisions of financial assistance or in the  
 extension of credit or services in connection therewith.

2. To use a form of application for financial assistance or credit or make or keep a record of inquiry in  
 connection with applications for financial assistance or credit which indicates directly or indirectly a  
 limitation, specification, or discrimination as to race, religion, color, national origin or ancestry, sex,  
 gender identity, sexual orientation, age, marital status, familial status, honorably discharged veteran or  
 military status, ~~or~~ disability, or "pregnancy outcomes," or an intent to make such a limitation,  
 specification, or discrimination.



1 For purposes of this subsection A, rates and terms of financial assistance or credit may vary from the  
2 norm for persons possessing a sensory, mental, or physical disability, if the variance is based upon bona  
3 fide differentials derived from legitimate actuarial data.

4 B. Credit Transactions.

5 It is an unfair practice for any person, whether acting for himself or another, in connection with any credit  
6 transaction, because of race, religion, color, national origin or ancestry, sex, gender identity, sexual  
7 orientation, age, marital status, familial status, honorably discharged veteran or military status, ~~or~~  
8 disability, or "pregnancy outcomes," to:

- 9 1. Deny credit to any person.
- 10 2. Increase the charges or fees for or collateral required to secure any credit extended to any person.
- 11 3. Restrict the amount or use of credit extended or to impose different terms or conditions with respect to  
12 the credit extended to any person or any item or service related thereto.

13 Nothing in this subsection B shall prohibit any party to a credit transaction from considering the credit  
14 history of any individual applicant or the application of the community property law to the individual  
15 case, or from taking reasonable action thereon.

16 C. Labor Organizations.

17 It is an unlawful discriminatory practice for a labor organization to:

- 18 1. Exclude or expel from its membership or otherwise to discriminate against any member or applicant  
19 for membership because of race, religion, color, national origin or ancestry, sex, gender identity, sexual  
20 orientation, age, marital status, familial status, honorably discharged veteran or military status, ~~or~~  
21 disability, or "pregnancy outcomes,"
- 22 2. Limit, segregate, or classify its membership or to classify or fail or refuse to refer for employment any  
23 person in any way which would deprive or tend to deprive that person of employment opportunities or  
24 otherwise adversely affect that person's status as an employee or as an applicant for employment because  
25 of race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital  
26 status, familial status, honorably discharged veteran or military status, ~~or~~ disability, or "pregnancy  
outcomes,"
3. Cause or attempt to cause an employer to discriminate against any person in violation of this section.
4. Discriminate against any person or to limit, segregate, or qualify its membership in any way which  
would adversely affect that person's hours, tenure, compensation, promotion, discharge, or any other  
terms, conditions, or privileges directly or indirectly related to employment because of race, religion,  
color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial  
status, honorably discharged veteran or military status, ~~or~~ disability, or "pregnancy outcomes,"
5. Deny to, or withhold from, any person the right to be admitted to or to participate in a guidance  
program, apprenticeship program, on-the-job training program, or any other occupational training  
program because of race, religion, color, national origin or ancestry, sex, gender identity, sexual  
orientation, age, marital status, familial status, honorably discharged veteran or military status, ~~or~~  
disability, or "pregnancy outcomes,"; provided, however, that the prohibition against discrimination  
because of a sensory, mental, or physical disability shall not apply if such disability prevents competent  
and safe participation in such training programs.

D. Employment Agencies.

It is an unlawful discriminatory practice for an employment agency to refuse to refer for employment or  
otherwise discriminate against any person because of race, religion, color, national origin or ancestry, sex,  
gender identity, sexual orientation, age, marital status, familial status, honorably discharged veteran or  
military status, ~~or~~ disability, or "pregnancy outcomes,"

E. Advertising.



1 It shall be an unlawful discriminatory practice for an employer, labor organization, employment agency,  
 2 or joint labor-management committee controlling apprenticeship or other training programs to print or  
 3 publish or cause to be published any notice or advertisement relating to employment, training, or  
 4 apprenticeship opportunities which indicates any preference, limitation, or discrimination based on race,  
 5 religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status,  
 6 familial status, honorably discharged veteran or military status, ~~or~~ disability, or “pregnancy outcomes”;  
 7 unless based upon a bona fide occupational qualification; provided, however that nothing herein  
 8 contained shall be construed to prohibit advertising in a foreign language.

9 F. Educational Institutions.

10 It is an unlawful discriminatory practice for any educational institution to deny admittance to any  
 11 prospective student or enrollee, or to deny any service offered by such institution to any person otherwise  
 12 qualified for such service on the grounds of race, religion, color, national origin or ancestry, sex, gender  
 13 identity, sexual orientation, age, marital status, familial status, honorably discharged veteran or military  
 14 status, ~~or~~ disability, or “pregnancy outcomes”; provided, however, that any private school or training  
 15 center affiliated with a nonprofit religious or sectarian organization, in the selecting of students, may give  
 16 preference to members of the religious faith or denomination associated with said institution.

17 G. Insurance Transactions.

18 It is an unlawful practice for any person, whether acting for themselves or another, in connection with any  
 19 insurance transaction, to fail or refuse to issue or renew insurance to any person because of race, religion,  
 20 color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial  
 21 status, honorably discharged veteran or military status, ~~or~~ disability, or “pregnancy outcomes”; provided,  
 22 however that for the purposes of this subsection G, it shall not be an unlawful discriminatory practice to  
 23 differentiate in the availability, terms, and rates based upon the above-listed characteristics if such  
 24 differentiation is derived from legitimate actuarial data.

25 H. Public Accommodations.

26 It is an unlawful discriminatory practice for a person to deny to any person the full and equal enjoyment  
 of the goods, services, facilities, privileges, advantages, and accommodations of a place of public  
 accommodation, resort, or amusement, on the grounds of race, religion, color, national origin or ancestry,  
 sex, gender identity, sexual orientation, age, marital status, familial status, honorably discharged veteran  
 or military status, ~~or~~ disability, or “pregnancy outcomes”; provided, however, that nothing herein  
 contained shall be construed to include or apply to a club or place of accommodation which, by its nature,  
 is distinctly private, including fraternal organizations, although where public use or service is involved,  
 the provisions of this chapter shall apply; nor shall anything herein contained apply to any nonprofit  
 religious or sectarian organization, although where public use or service is involved, the provisions of this  
 chapter shall apply.

I. Retaliation.

It is an unlawful practice for any employer, employment agency, labor union, property owner, or financial  
 institution to discharge, expel, penalize, or otherwise discriminate against any person because that person  
 has opposed any practice forbidden by this chapter, whether or not such practice in fact exists, or because  
 that person has filed a charge, testified, or assisted in any proceeding under this chapter.

J. Discrimination by Association.

It is an unlawful practice to discriminate against any person due to his or her relationship or association  
 with another person protected by this chapter.

K. Americans with Disabilities Act.

It is an unlawful practice to discriminate in employment, public accommodation or housing against  
 qualified individuals with disabilities.

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**1.29.100 Unlawful discriminatory housing practices.**

1 The exclusion of a person from, or failure or refusal to extend to a person, equal opportunities because of  
2 race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital  
3 status, familial status, honorably discharged veteran or military status, disability, ~~or~~ source of income, or  
4 “pregnancy outcomes,” is hereby declared to be an unlawful discriminatory housing practice. Unlawful  
5 housing discriminatory practices shall include, but are not limited to, the following:

6 (1) Refusal to sell or rent a dwelling after a bona fide offer has been made, or to negotiate for the sale or  
7 rental of a dwelling, because of race, color, religion, sex, gender identity, sexual orientation, familial  
8 status, honorably discharged veteran or military status, marital status, age, national origin, or source of  
9 income, or discrimination in the sale or rental of a dwelling because of disability, or “pregnancy  
10 outcomes”;

11 (2) Discrimination in the terms, conditions or privileges of sale or rental of a dwelling, or in the provision  
12 of services or facilities in connection with sales or rentals, because of race, color, religion, sex, gender  
13 identity, sexual orientation, disability, familial status marital status, honorably discharged veteran or  
14 military status, age, national origin, ~~or~~ source of income, or “pregnancy outcomes”;

15 (3) Engaging in any conduct relating to the provision of housing which otherwise makes unavailable or  
16 denies dwellings to persons because of race, color, religion, sex, gender identity, sexual orientation,  
17 disability, familial status, marital status, honorably discharged veteran or military status, age, national  
18 origin, ~~or~~ source of income, or “pregnancy outcomes”;

19 (4) Making, printing or publishing, or causing to be made, printed or published, any notice, statement or  
20 advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation or  
21 discrimination because of race, color, religion, sex, gender identity, sexual orientation, disability, familial  
22 status, marital status, honorably discharged veteran or military status, age, national origin, source of  
23 income, ~~or~~ “pregnancy outcomes,” or an intention to make any such preference, limitation or  
24 discrimination;

25 (5) Representing to any person, because of race, color, religion, sex, gender identity, sexual orientation,  
26 disability, familial status, marital status, honorably discharged veteran or military status, age, national  
27 origin, ~~or~~ source of income, or “pregnancy outcomes,” that a dwelling is not available for sale or rental  
28 when such dwelling is in fact available;

29 (6) Engaging in blockbusting practices in connection with the sale or rental of dwellings because of race,  
30 color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably  
31 discharged veteran or military status, age, national origin, ~~or~~ source of income, or “pregnancy outcomes”;  
32 and/or

33 (7) Denying access to or membership or participation in, or discriminating against any person in his or  
34 her access to or membership or participation in, any multiple-listing service, real estate brokers'  
35 association, or other service organization or facility relating to the business of selling or renting a  
36 dwelling or in the terms or conditions of membership or participation, because of race, color, religion,  
37 sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged  
38 veteran or military status, age, national origin, ~~or~~ source of income, or “pregnancy outcomes.”-

39 Application of Chapter 1.29 of the City of Tacoma Law Against Discrimination, as amended, with  
40 respect to persons with disabilities is discussed in Section 1.29.060K.

41 A. Exemptions.

42 Nothing in this chapter shall:

43 1. Apply to the renting, subrenting, leasing, or subleasing of a single-family dwelling, wherein the owner  
44 or person entitled to possession thereof maintains a permanent residence, home, or abode; or

45 2. Prohibit a nonprofit religious or sectarian organization, or any nonprofit organization operated,  
46 supervised or controlled by or in conjunction with a nonprofit religious or sectarian organization, from



1 limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial  
2 purpose to persons of the same religion, or from giving preference to such persons, unless membership in  
3 such religion is restricted on account of race, color, national origin, or source of income; or

4 3. Prohibit any person from limiting the rental or occupancy of housing accommodations in any YMCA,  
5 YWCA, fraternity, sorority, school dormitory, emergency or transitional shelter, group home, or similar  
6 residential hall to persons of one sex where privacy is a concern; or

7 4. Be construed to protect criminal conduct.

8 B. Unlawful to Sell or Rent or to Negotiate for the Sale or Rental.

9 1. It shall be unlawful for a person to refuse to sell or rent a dwelling to a person who has made a bona  
10 fide offer, because of race, color, religion, sex, gender identity, sexual orientation, familial status, marital  
11 status, age, national origin, ~~or source of income,~~ or "pregnancy outcomes,"; or to refuse to negotiate with  
12 a person for the sale or rental of a dwelling because of race, color, religion, sex, gender identity, sexual  
13 orientation, familial status, marital status, honorably discharged veteran or military status, age, national  
14 origin, ~~or source of income,~~ or "pregnancy outcomes,"; or to discriminate against any person in the sale or  
15 rental of a dwelling because of disability.

16 2. Prohibited actions under this section include, but are not limited to:

17 a. Failing to accept or consider a bona fide offer because of race, color, religion, sex, gender identity,  
18 sexual orientation, disability, familial status, marital status, honorably discharged veteran or military  
19 status, age, national origin, ~~or source of income,~~ or "pregnancy outcomes,";

20 b. Refusing to sell or rent a dwelling to, or to negotiate for the sale or rental of a dwelling with, any  
21 person because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status,  
22 marital status, honorably discharged veteran or military status, age, national origin, ~~or source of income,~~  
23 or "pregnancy outcomes,";

24 3. Because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status,  
25 marital status, honorably discharged veteran or military status, age, national origin, ~~or source of income,~~  
26 or "pregnancy outcomes,"; imposing upon any person different sales prices or rental charges for the sale  
or rental of a dwelling.

4. Using different qualification criteria or applications, or sale or rental standards or procedures, such as  
income standards or procedures, application requirements, application fees, credit analysis, sale or rental  
approval procedures, or other requirements, because of race, color, religion, sex, gender identity, sexual  
orientation, disability, familial status, marital status, honorably discharged veteran or military status, age,  
national origin, ~~or source of income,~~ or "pregnancy outcomes,";

5. Evicting tenants because of their race, color, religion, sex, gender identity, sexual orientation,  
disability, familial status, marital status, age, national origin, ~~or source of income,~~ or "pregnancy  
outcomes,"; or because of the race, color, religion, sex, gender identity, sexual orientation, disability,  
familial status, marital status, honorably discharged veteran or military status, age, national origin, ~~or  
source of income,~~ or "pregnancy outcomes," of a tenant's guest.

C. Discrimination in Terms, Conditions and Privileges, and in Services and Facilities.

1. It shall be unlawful, because of race, color, religion, sex, gender identity, sexual orientation, disability,  
familial status, marital status, honorably discharged veteran or military status, age, national origin, ~~or  
source of income,~~ or "pregnancy outcomes," to impose different terms, conditions or privileges relating to  
the sale or rental of a dwelling or to deny or limit services or facilities in connection with the sale or  
rental of a dwelling.

2. Prohibited actions under this section include, but are not limited to:

a. Using different provisions in leases or contracts of sale, such as those relating to rental charges,  
security deposits and the terms of a lease and those relating to down payment and closing requirements,  
because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital



status, honorably discharged veteran or military status, age, national origin, ~~or~~ source of income, or “pregnancy outcomes.”

1 b. Failing or delaying maintenance or repairs of sale or rental dwellings because of race, color, religion,  
2 sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged  
veteran or military status, age, national origin, ~~or~~ source of income, or “pregnancy outcomes.”

3 c. Failing to process an offer for the sale or rental of a dwelling or to communicate an offer accurately  
4 because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital  
status, honorably discharged veteran or military status, age, national origin, ~~or~~ source of income, or  
5 “pregnancy outcomes.”

6 d. Limiting privileges or the use of services or facilities associated with a dwelling because of race, color,  
7 religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably  
8 discharged veteran or military status, age, national origin, ~~or~~ source of income, or “pregnancy outcomes.”  
of an owner, tenant or a person associated with him or her.

9 e. Denying or limiting services or facilities in connection with the sale or rental of a dwelling, because a  
10 person failed or refused to provide sexual favors.

11 D. Other Prohibited Sale and Rental Conduct.

12 1. It shall be unlawful, because of race, color, religion, sex, gender identity, sexual orientation, disability,  
13 familial status, marital status, honorably discharged veteran or military status, age, national origin, ~~or~~  
14 source of income, or “pregnancy outcomes.”; to restrict or attempt to restrict, by word or conduct, the  
15 choices of a person in connection with seeking, negotiating for, buying or renting a dwelling so as to  
16 perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct choices in a  
community, neighborhood or development.

17 2. It shall be unlawful, because of race, color, religion, sex, gender identity, sexual orientation, disability,  
18 familial status, marital status, honorably discharged veteran or military status, age, national origin, ~~or~~  
19 source of income, or “pregnancy outcomes.”; to engage in any conduct relating to the provision of  
20 housing, or of services and facilities in connection therewith, that otherwise makes unavailable or denies  
21 dwellings to persons.

22 3. Prohibited actions under paragraph 1 of this subsection, which are generally referred to as unlawful  
steering practices, include, but are not limited to:

23 a. Discouraging any person from inspecting, purchasing or renting a dwelling because of race, color,  
24 religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably  
25 discharged veteran or military status, age, national origin, ~~or~~ source of income, or “pregnancy  
26 outcomes.”; or because of the race, color, religion, sex, gender identity, sexual orientation, disability,  
familial status, marital status, age, national origin, ~~or~~ source of income, or “pregnancy outcomes.” of  
persons in a community, neighborhood or development.

b. By exaggerating drawbacks or failing to inform any person of desirable features of a dwelling or a  
community, neighborhood, or development, discouraging the purchase or rental of a dwelling because of  
race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, age,  
national origin, ~~or~~ source of income, or “pregnancy outcomes.”

c. Communicating to any prospective purchaser that he or she would not be comfortable or compatible  
with existing residents of a community, neighborhood or development because of race, color, religion,  
sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged  
veteran or military status, age, national origin, ~~or~~ source of income, or “pregnancy outcomes.”

d. Assigning any person to a particular section of a community, neighborhood or development, or to a  
particular floor of a building, because of race, color, religion, sex, gender identity, sexual orientation,  
disability, familial status, marital status, honorably discharged veteran or military status, age, national  
origin, ~~or~~ source of income, or “pregnancy outcomes.”



4. Prohibited activities relating to dwellings under paragraph 2 of this subsection include, but are not limited to:

- 1 a. Discharging or taking other adverse action against an employee, broker or agent because he or she  
2 refused to participate in a discriminatory housing practice.
- 3 b. Employing codes or other devices to segregate or reject applicants, purchasers or renters; refusing to  
4 take or to show listings of dwellings in certain areas because of race, color, religion, sex, gender identity,  
5 sexual orientation, disability, familial status, marital status, age, national origin, ~~or~~ source of income, or  
6 “pregnancy outcomes”; or refusing to deal with certain brokers or agents because they, or one or more of  
7 their clients, are of a particular race, color, religion, sex, gender identity, sexual orientation, disability,  
8 familial status, marital status, honorably discharged veteran or military status, age, national origin, ~~or~~  
9 source of income, or “pregnancy outcomes.”;
- 10 c. Denying or delaying the processing of an application made by a purchaser or renter or refusing to  
11 approve such a person for occupancy in a cooperative or condominium dwelling because of race, color,  
12 religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably  
13 discharged veteran or military status, age, national origin, ~~or~~ source of income, or “pregnancy  
14 outcomes.”;
- 15 d. Refusing to provide municipal services or property or hazard insurance for dwellings, or providing  
16 such services or insurance differently because of race, color, religion, sex, gender identity, sexual  
17 orientation, disability, familial status, marital status, honorably discharged veteran or military status, age,  
18 national origin, ~~or~~ source of income, or “pregnancy outcomes.”;

11 E. Discriminatory Advertisements, Statements and Notices.

- 12 1. It shall be unlawful to make, print or publish, or cause to be made, printed or published, any notice,  
13 statement or advertisement with respect to the sale or rental of a dwelling which indicates any preference,  
14 limitation or discrimination because of race, color, religion, sex, gender identity, sexual orientation,  
15 disability, familial status, marital status, honorably discharged veteran or military status, age, national  
16 origin, ~~or~~ source of income, or “pregnancy outcomes.”; or an intention to make any such preference  
17 limitation or discrimination.
- 18 2. The prohibitions in this section shall apply to all written or oral notices or statements by a person  
19 engaged in the sale or rental of a dwelling. Written notices and statements include any applications,  
20 flyers, brochures, deeds, signs, banners, posters, billboards or any documents used with respect to the sale  
21 or rental of a dwelling.
- 22 3. Discriminatory notices, statements and advertisements include, but are not limited to:
  - 23 a. Using words, phrases, photographs, illustrations, symbols, or forms which convey that dwellings are  
24 available or not available to a particular group of persons because of race, color, religion, sex, gender  
25 identity, sexual orientation, disability, familial status, marital status, age, national origin, ~~or~~ source of  
26 income, or “pregnancy outcomes.” of such persons.
  - b. Expressing to agents, brokers, employees, prospective sellers or renters, or any other persons, a  
preference for or limitation on any purchaser or renter because of race, color, religion, sex, gender  
identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or  
military status, age, national origin, ~~or~~ source of income, or “pregnancy outcomes.” of such persons.
  - c. Selecting media or locations for advertising the sale or rental of dwellings which deny particular  
segments of the housing market information about housing opportunities because of race, color, religion,  
sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged  
veteran or military status, age, national origin, ~~or~~ source of income, or “pregnancy outcomes.”;
  - d. Refusing to publish advertising for the sale or rental of dwellings, or requiring different charges or  
terms for such advertising, because of race, color, religion, sex, gender identity, sexual orientation,  
disability, familial status, marital status, honorably discharged veteran or military status, age, national  
origin, ~~or~~ source of income, or “pregnancy outcomes.”;



F. Discriminatory Representations on the Availability of Dwellings.

1 1. It shall be unlawful, because of race, color, religion, sex, gender identity, sexual orientation, disability,  
2 familial status, marital status, honorably discharged veteran or military status, age, national origin, ~~or~~  
3 source of income, or “pregnancy outcomes.”; to provide inaccurate or untrue information about the  
4 availability of dwellings for sale or rent.

5 2. Prohibited actions under this section include, but are not limited to:

6 a. Indicating through words or conduct that a dwelling which is available for inspection, sale, or rent has  
7 been sold or rented, because of race, color, religion, sex, gender identity, sexual orientation, disability,  
8 familial status, marital status, honorably discharged veteran or military status, age, national origin, ~~or~~  
9 source of income, or “pregnancy outcomes.”;

10 b. Representing that covenants or other deed, trust or lease provisions which purport to restrict the sale or  
11 rental of dwellings because of race, color, religion, sex, gender identity, sexual orientation, disability,  
12 familial status, marital status, honorably discharged veteran or military status, age, national origin, ~~or~~  
13 source of income, or “pregnancy outcomes.” -preclude the sale or rental of a dwelling to a person.

14 c. Enforcing covenants or other deed, trust, or lease provisions which preclude the sale or rental of a  
15 dwelling to any person because of race, color, religion, sex, gender identity, sexual orientation, disability,  
16 familial status, marital status, honorably discharged veteran or military status, age, national origin, ~~or~~  
17 source of income, or “pregnancy outcomes.”;

18 d. Limiting information, by word or conduct, regarding suitably priced dwellings available for inspection,  
19 sale or rental, because of race, color, religion, sex, gender identity, sexual orientation, disability, familial  
20 status, marital status, honorably discharged veteran or military status, age, national origin, ~~or~~ source of  
21 income, or “pregnancy outcomes.”;

22 e. Providing false or inaccurate information regarding the availability of a dwelling for sale or rental to  
23 any person, including testers, regardless of whether such person is actually seeking housing, because of  
24 race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status,  
25 honorably discharged veteran or military status, age, national origin, ~~or~~ source of income, or “pregnancy  
26 outcomes.”;

G. Blockbusting.

1. It shall be unlawful, for profit, to induce or attempt to induce a person to sell or rent a dwelling by  
representations regarding the entry or prospective entry into the neighborhood of a person or persons of a  
particular race, color, religion, sex, gender identity, sexual orientation, familial status, marital status,  
honorably discharged veteran or military status, age, national origin, or source of income, ~~or~~ with a  
disability, or “pregnancy outcomes.”;

2. In establishing a discriminatory housing practice under this section it is not necessary that there was in  
fact profit as long as profit was a factor for engaging in the blockbusting activity.

3. Prohibited actions under this section include, but are not limited to:

a. Engaging, for profit, in conduct (including uninvited solicitations for listings) which conveys to a  
person that a neighborhood is undergoing, or is about to undergo, a change in the race, color, religion,  
sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged  
veteran or military status, age, national origin, ~~or~~ source of income, or “pregnancy outcomes.” of persons  
residing in it, in order to encourage the person to offer a dwelling for sale or rental.

b. Encouraging, for profit, any person to sell or rent a dwelling through assertions that the entry or  
prospective entry of persons of a particular race, color, religion, sex, gender identity, sexual orientation,  
familial status, marital status, honorably discharged veteran or military status, age, national origin, or  
source of income, ~~or~~ with disabilities, or “pregnancy outcomes.”; can or will result in undesirable  
consequences for the project, neighborhood or community, such as a lowering of property values, an



increase in criminal or antisocial behavior, or a decline in the quality of schools or other services or facilities.

1 H. Discrimination in the Provision of Brokerage Services.

2 1. It shall be unlawful to deny any person access to or membership or participation in any multiple-listing  
3 service, real estate brokers' organization or other service, organization, or facility relating to the business  
4 of selling or renting dwellings, or to discriminate against any person in the terms or conditions of such  
5 access, membership or participation, because of race, color, religion, sex, gender identity, sexual  
6 orientation, disability, familial status, marital status, honorably discharged veteran or military status, age,  
7 ~~or~~ national origin, or "pregnancy outcomes."

8 2. Prohibited actions under this section include, but are not limited to:

9 a. Setting different fees for access to or membership in a multiple-listing service because of race, color,  
10 religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably  
11 discharged veteran or military status, age, ~~or~~ national origin, or "pregnancy outcomes."

12 b. Denying or limiting benefits accruing to members in a real estate brokers' organization because of race,  
13 color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably  
14 discharged veteran or military status, age, ~~or~~ national origin, or "pregnancy outcomes."

15 c. Imposing different standards or criteria for membership in a real estate sales or rental organization  
16 because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital  
17 status, honorably discharged veteran or military status, age, ~~or~~ national origin, or "pregnancy outcomes."

18 d. Establishing geographic boundaries or office location or residence requirements for access to or  
19 membership or participation in any multiple-listing service, real estate brokers' organization or other  
20 service, organization or facility relating to the business of selling or renting dwellings, because of race,  
21 color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably  
22 discharged veteran or military status, age, ~~or~~ national origin, or "pregnancy outcomes."

23 **1.29.110 Discrimination in residential real estate-related transactions.**

24 A. Discriminatory Practices in Residential Real Estate-Related Transactions.

25 It shall be unlawful for any person or other entity whose business includes engaging in residential real  
26 estate-related transactions to discriminate against any person in making available such a transaction, or in  
the terms or conditions of such a transaction because of race, color, religion, sex, gender identity, sexual  
orientation, disability, familial status, marital status, honorably discharged veteran or military status, age,  
~~or~~ national origin, or "pregnancy outcomes."

B. Residential Real Estate-Related Transactions.

The term "residential real estate-related transactions" means:

1. The making or purchasing of loans or providing other financial assistance:

- a. For purchasing, constructing, improving, repairing or maintaining a dwelling; or
- b. Secured by residential real estate; or

2. The selling, brokering or appraising of residential real property.

C. Discrimination in the Making of Loans and in the Provision of Other Financial Assistance.

1. It shall be unlawful for any person or entity whose business includes engaging in residential real estate-  
related transactions to discriminate against any person in making available loans or other financial  
assistance for a dwelling, or which is or is to be secured by a dwelling, because of race, color, religion,  
sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged  
veteran or military status, age, ~~or~~ national origin, or "pregnancy outcomes."



2. Prohibited practices under this section include, but are not limited to, failing or refusing to provide to any person, in connection with a residential real estate-related transaction, information regarding the availability of loans or other financial assistance, application requirements, procedures or standards for the review and approval of loans or financial assistance, or providing information which is inaccurate or different from that provided others, because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or "pregnancy outcomes."

D. Discrimination in the Purchasing of Loans.

1. It shall be unlawful for any person or entity engaged in the purchasing of loans or other debts or securities which support the purchase, construction, improvement, repair or maintenance of a dwelling, or which are secured by residential real estate, to refuse to purchase such loans, debts, or securities or to impose different terms or conditions for such purchases, because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or "pregnancy outcomes."

2. Unlawful conduct under this section includes, but is not limited to:

a. Purchasing loans or other debts or securities which relate to, or which are secured by dwellings in certain communities or neighborhoods but not in others because of the race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or "pregnancy outcomes."

b. Because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or "pregnancy outcomes," pooling or packaging differently loans or other debts or securities which relate to, or which are secured by, dwellings.

c. Imposing or using different terms or conditions for the marketing or sale of securities issued on the basis of loans or other debts or securities which relate to, or which are secured by, dwellings because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or "pregnancy outcomes."

3. This section does not prevent consideration, in the purchasing of loans, of factors justified by business necessity, including requirements of Federal law, relating to a transaction's financial security or to protection against default or reduction of the value of the security. Thus, this provision would not preclude considerations employed in normal and prudent transactions; provided, that no such factor may in any way relate to race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or "pregnancy outcomes."

E. Discrimination in the Terms and Conditions for Making Available Loans or Other Financial Assistance.

1. It shall be unlawful for any person or entity engaged in the making of loans or in the provision of other financial assistance relating to the purchase, construction, improvement, repair or maintenance of dwellings or which are secured by residential real estate to impose different terms or conditions for the availability of such loans or other financial assistance, because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or "pregnancy outcomes."

2. Unlawful conduct under this section includes, but is not limited to:

a. Using different policies, practices or procedures in evaluating or in determining creditworthiness of any person in connection with the provision of any loan or other financial assistance for a dwelling or for any loan or other financial assistance which is secured by residential real estate because of race, residential real estate because of race, color, religion, sex, gender identity, sexual orientation, disability, familial



status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or “pregnancy outcomes.”:-

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b. Determining the type of loan or other financial assistance to be provided with respect to a dwelling, or fixing the amount, interest rate, duration or other terms for a loan or other financial assistance for a dwelling or which is secured by residential real estate, because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or “pregnancy outcomes.”:-

F. Unlawful Practices in the Selling, Brokering, or Appraising of Residential Real Property.

1. It shall be unlawful for any person or other entity whose business includes engaging in the selling, brokering or appraising of residential real property to discriminate against any person in making available such services, or in the performance of such services, because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or “pregnancy outcomes.”:-

2. For the purposes of this section, the term "appraisal" means an estimate or opinion of the value of a specified residential real property made in a business context in connection with the sale, rental, financing or refinancing of a dwelling or in connection with any activity that otherwise affects the availability of a residential real estate-related transaction, whether the appraisal is oral or written, or transmitted formally or informally.

The appraisal includes all written comments and other documents submitted as support for the estimate or opinion of value.

3. Nothing in this section prohibits a person engaged in the business of making or furnishing appraisals of residential real property from taking into consideration factors other than race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or “pregnancy outcomes.”:-

4. Practices which are unlawful under this section include, but are not limited to, using an appraisal of residential real property in connection with the sale, rental, or financing of any dwelling where the person knows or reasonably should know that the appraisal improperly takes into consideration race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or “pregnancy outcomes.”:-

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**1.29.140 Interference, coercion or intimidation.**

A. Prohibited Interference, Coercion or Intimidation.

1. It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of that person having exercised or enjoyed, or on account of that person having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by this section.

2. Conduct made unlawful under this section includes, but is not limited to, the following:

a. Coercing a person, either orally, in writing, or by other means, to deny or limit the benefits; provided, that person in connection with the sale or rental of a dwelling or in connection with a residential real estate-related transaction because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, national origin, ~~or~~ source of income, or “pregnancy outcomes.”:-

b. Threatening, intimidating or interfering with persons in their enjoyment of a dwelling because of the race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, national origin, ~~or~~ source of income, or “pregnancy outcomes.” of such persons, or of visitors or associates of such persons.





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c. Threatening an employee or agent with dismissal or an adverse employment action, or taking such adverse employment action, for any effort to assist a person seeking access to the sale or rental of a dwelling or seeking access to any residential real estate-related transaction, because of the race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, national origin, ~~or~~ source of income, or "pregnancy outcomes," of that person or any person associated with that person.

d. Intimidating or threatening any person because that person is engaging in activities designed to make other persons aware of, or encouraging such other persons to exercise, rights granted or protected by this section.

e. Retaliating against any person because that person has made a complaint, testified, assisted, or participated in any manner in a proceeding under Chapter 1.29 of the City of Tacoma Law Against Discrimination, as amended.

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**CHAPTER 1.45  
NEIGHBORHOOD COUNCILS**

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**1.45.050 Neighborhood Council boundaries and participation.**

A. Neighborhood Council boundaries.

The City Council shall determine the boundaries of the Neighborhood Councils and shall set those boundaries by resolution. The Community Council may propose boundary adjustments for consideration by the City Council, so long as there is written agreement by any affected existing Neighborhood Councils prior to request for consideration by the City Council, and no boundaries overlap. Individual Neighborhood Councils shall not submit proposed boundary changes to the City Council directly. The Community Council shall not reject any proposals by Neighborhood Councils to adjust boundaries as long as the proposal meets the above requirements, but may note its support or opposition to a proposal.

B. Formation of New Neighborhood Councils.

The Community Council of Tacoma must consult with City staff prior to approval in order to create new Neighborhood Councils. New Neighborhood Councils may be considered to better represent diverse interests, provide fair and equitable representation, and better advocate for the needs of the neighborhood, but must meet the following requirements.

1. No more than two Neighborhood Councils will be created by the City Council in a calendar year.
2. There may be no more than five Neighborhood Councils per City Council District.
3. Neighborhood Council boundaries must have a population of at least three percent of the total population of Tacoma.

In order to create a new Neighborhood Council, both the affected Neighborhood Councils and the new proposed Neighborhood Council must affirm, in writing, their consent to changing their boundaries so that no Neighborhood Council boundaries overlap. The proposed Neighborhood Council must hold a public meeting in the proposed boundary area to get public input on whether to form a new Neighborhood Council, and what form of governance the new body will take prior to submitting their proposal to the Community Council. The public meeting must be announced and advertised at a minimum two weeks in advance, and have at least 30 attendees signed in and/or have a petition with 80 unique signatures, including addresses from the proposed boundary area supporting the proposed Neighborhood Council. After the public meeting, the Community Council of Tacoma must submit the public meeting notes, proposed boundaries of affected Neighborhood Councils, proposed leadership and governance of the new Neighborhood Council, and their recommendation to City staff for review. Following City staff review, the proposal will be submitted and go to the City Council for consideration. The City Council must adopt by resolution the new Neighborhood Council and adjusted boundaries before they can operate. Following adoption, the Neighborhood Council will be in a one-year probationary period where they must operate in compliance with the City Code and Standards and Guidelines. Should the Neighborhood Council fail to comply or fail to establish a governing board and regular meetings within this period, staff will propose a resolution to the City Council, revoking the Neighborhood Council's status and reinstating the boundaries that existed prior to the New Neighborhood Council forming.

C. Neighborhood Council participation.

Any resident, renter, or owner of property, business, or nonprofit and their employees, who live or work within a Neighborhood Council Boundary, may participate fully in that Neighborhood Council without conditions. Participation means attending meetings and events, voting, engaging in the creation of annual reports, budgets, and plans, and utilizing Neighborhood Council resources. Individual Neighborhood Councils may choose to adopt bylaws that limit members of the governing board to residents that live within the Neighborhood Council boundaries. No Neighborhood Council may discriminate against any



individual nor limit participation based on race, ethnicity, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial status, ~~or~~ the presence or perceived presence of any sensory, mental or physical disability, [or “pregnancy outcomes” under TMC 1.29.040.](#)

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**CHAPTER 6B.220  
FOR HIRE REGULATIONS**

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**6B.220.340 For-hire driver – Passenger relations standards.**

A. A for-hire driver shall be clean and neat in dress and person and present a professional appearance to the public;

B. A for-hire driver shall provide customers with professional and courteous service at all times;

C. A for-hire driver shall not engage in threatening or disruptive conduct, or use loud, profane, abusive or obscene language offensive with or around the passenger, while operating a for-hire vehicle;

D. A for-hire driver shall not smoke in a for-hire vehicle while operating a for-hire vehicle. “Smoke” or “smoking” means the carrying or smoking of any kind of lighted pipe, cigar, cigarette, electronic cigarette or any other lighted smoking equipment;

E. A for-hire driver shall not refuse a request for service because of the for-hire driver’s position in line at a for-hire stand; a passenger may select any for-hire vehicle in line;

F. A for-hire driver shall not drive a passenger to his destination by any other than the most direct and safe route and may be aided by a global position system (“GPS”) unless requested to do so by the passenger;

G. A for-hire driver shall assist passengers placing luggage or packages in and out of the for-hire vehicle;

H. A for-hire driver shall not refuse to transport in the for-hire vehicle any passenger’s wheelchair which can be folded and placed in either the passenger, driver, or trunk compartment of the vehicle or a service animal used to assist persons with disabilities, groceries, packages or luggage when accompanied by a passenger;

I. A for-hire driver shall not discriminate against passengers or potential passengers on the basis of race, color, national origin or ancestry, religious belief or affiliation, sex, disability, age, sexual orientation, marital status, gender identity, familial status, ~~or~~ honorably discharged veteran or military status, or “pregnancy outcomes” under TMC 1.29.040, as identified in Tacoma Municipal Code Chapter 1.29.040;

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**CHAPTER 16A.03  
ADDITIONAL RULES APPLICABLE TO CABLE SYSTEMS**

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**16A.03.080 Discrimination prohibited.**

A. A Cable Operator shall not discriminate among persons or the City or take any retaliatory action against a person or the City because of that entity's exercise of any right it may have under federal, state, or local law, nor may the Operator require a person or the City to waive such rights as a condition of taking service.

B. A Cable Operator shall not refuse to employ, discharge from employment, or discriminate against any person in compensation or in terms, conditions, or privileges of employment because of race, color, creed, national origin, sex, age, disability, religion, ethnic background, ~~or~~ marital status, or "pregnancy outcomes" under TMC 1.29.040. A Cable Operator shall comply with all federal, state, and local laws and regulations governing equal employment opportunities, as the same may be from time to time amended.

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