

AN ORDINANCE CLASSIFYING CIVIL RIGHTS LEGISLATION AS A MATTER OF PRIMARILY STATEWIDE AND NATIONAL CONCERN AND DECLARING AN EMERGENCY.

WHEREAS, the powers and jurisdiction of the City of Albany are based upon its Home Rule Charter; and

WHEREAS, pursuant to such Home Rule powers, the City of Albany has jurisdiction to adopt ordinances on matters of primarily local concern but is without corresponding power to adopt ordinances on matters of primarily statewide or national concern; and

WHEREAS, the City Council of the City of Albany concludes that all citizens of this state; and, indeed, this nation should be entitled to recognition of the same fundamental civil rights regardless of where they travel or where they reside.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1. Civil Rights deemed primarily of statewide and national concern.

The regulation of individual civil rights is deemed by the City of Albany to be a matter of primarily statewide and national concern and not of local concern.

Section 2. City to be governed by state and federal civil rights laws.

The City of Albany in its ordinances, resolutions, and policies with regard to individual civil rights shall be bound by the Constitution of the United States of America, the Constitution of the State of Oregon, the laws of the United States, the laws of the State of Oregon, and the decisions of state or federal Courts of appropriate jurisdiction.

Section 3. City to deem itself preempted from adopting special, local ordinances, resolutions, or policies concerning civil rights.

In light of its conclusion that civil rights legislation is not primarily a matter of local concern, the City of Albany shall be precluded from adopting ordinances, resolutions, or policies which extend or restrict civil or special rights protection for any individual or classes of individuals in a manner different from that provided by state or federal law.

Section 4. Emergency Declared.

It is hereby adjudged and declared that this ordinance is necessary for the immediate preservation of the public peace, health, and safety of the City of Albany; and an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect when signed by the Mayor.

PASSED BY THE COUNCIL: July 14, 1993

APPROVED BY THE MAYOR: July 14, 1993

EFFECTIVE DATE: July 14, 1993

ATTEST:

Norm C. Withrow
Deputy City Recorder

[Signature]
Mayor