

**COUNTY OF OSWEGO LOCAL LAW 1 OF THE YEAR 2009  
A LOCAL LAW AMENDING LOCAL LAW NUMBER 3 OF 1990  
ENTITLED THE “OSWEGO COUNTY FAIR HOUSING LAW”**

**BE IT ENACTED** by the County Legislature of the County of Oswego as follows:

**Section 1. Purpose and Intent**

The County of Oswego, through its Legislature, hereby finds and determines that amendments in Local Law Number 3 of 1990 are both necessary and desirable for the years to conform the Oswego County Fair Housing Law with applicable state and federal laws.

**Section 2. Amendments to Local Law Number 3 of 1990**

- (1) The first paragraph of the Preamble of Local Law Number 3 of 1990 be and is hereby AMENDED to read as follows:

“A local law prohibiting discrimination in the sale, rental or advertising of housing, in the provision of brokerage services therefore, or, in the availability of residential real estate-related transactions, based on race, religion, color, national origin, sex, familial status, age, disability, sexual orientation, military status and marital status.”

- (2) Section 1 of Local Law Number 3 of 1990 be and is hereby AMENDED to read as follows to INSERT the following new underlined text:

“...pursuant to the Fair Housing New Horizons Plan...”

- (3) Section 2, Definitions, subparagraph B, 4 “Familial Status” be and is hereby AMENDED by ADDING a new subparagraph as follows:

“(3) who is pregnant or attempting to obtain the custody of children.”

- (4) Section 2, Definitions, subparagraph B, 6 “Handicap” is be and is hereby AMENDED by changing the word “Handicap” to “Disability.”

- (5) Section 3, entitled “Discrimination in the Sale or Rental of Housing” be and is hereby AMENDED as follows:

“Except as otherwise provided for herein, it shall be unlawful within the County of Oswego:

A. to refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, religion, color, national origin, sex, familial status, age, disability, sexual orientation, military status and marital status.

B. to discriminate against any person in the terms, conditions, or privileges of sale, rental of dwelling, or in the provision of services or facilities in connection therewith, because of race, religion, color, national origin, sex, familial status, age, disability, sexual orientation, military status and marital status.

- C. to make, print, or publish, or cause to be made, printed or published, any notice, statement, or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, religion, color, national origin, sex, familial status, age, disability, sexual orientation, military status and marital status or an intention to make any such preference, limitation, or discrimination.
  - D. to represent to any person because of race, religion, color, national origin, sex, familial status, age, disability, sexual orientation, military status and marital status that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.
  - E. For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, religion, color, national origin, sex, familial status, age, disability, sexual orientation, military status and marital status.”
- (6) Section 4, entitled “Discrimination in the Financing of Housing” be and is hereby AMENDED as follows:

Except as exempted by Section 7, it shall be unlawful within the County of Oswego for any lender to deny a loan or other financial assistance to a person applying therefore for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling; or to discriminate against him in the fixing of the amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance because of race, color, religion, sex, disability, familial status, national origin, sexual orientation, military status, age or marital status of such person or of any person associated with him in connection with such loan or other financial assistance, or the purpose of such loan or other financial assistance, or of the present or prospective owners, leasers, tenants, or occupants of the dwelling or dwellings in the relation to which such loan or other financial assistance is to be made or given: provided that nothing contained in this section shall impair the scope or effectiveness of the exception contained in Article VI.

- (7) Section 5 of Local Law Number 3 of 1990 entitled “Discrimination in the Provision of Brokerage Services” be and is hereby AMENDED to read as follows:

“It shall be unlawful within the County of Oswego to deny any person access to or membership or participation in any multiple-listing service, real estate broker’s organization, or other service, organization, or facility relating to the business of selling or renting dwellings; or to discriminate against him in the terms or conditions of such access, membership, or participation on account of race, religion, color, national origin, sex, familial status, age, disability, sexual orientation, military status and marital status.”

- (8) Section 6 of Local Law Number 3 of 1990 entitled “Reasonable Modification” be and is hereby AMENDED to read as follows:

“It shall be unlawful in the County of Oswego to not permit reasonable modifications to units for disabled persons. It is unlawful to refuse to permit, at the expense of the disabled person, or third party, reasonable modifications to existing premises occupied by a disabled person if such modifications are necessary to provide the person use and enjoyment of the premises. In rental properties, the landlord may require the tenant or tenants to agree in their lease that they will restore the unit’s interior to the condition it was in before modification upon termination of the lease agreement.”

- (9) Section 6 of Local Law Number 3 of 1990 entitled “Exemptions” be and is hereby RENUMBERED to Section 7.

- (10) Section 7(A)(1) of Local Law Number 3 of 1990, entitled “Exemptions” be and is hereby AMENDED by inserting new text as follows: (New text underlined, old text stricken)

“One to two ~~four~~ family dwellings....”

- (11) Section 7(B) of Local Law Number 3 of 1990 entitled “Exemptions” be and is hereby AMENDED to read as follows:

“Nothing in this local law shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental, or occupancy of dwellings which it owns or operates for other than commercial purposes to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, religion, color, national origin, sex, familial status, age, disability, sexual orientation, military status and marital status. Nor shall anything in this local law prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodging which it owns or operates for other than commercial purpose, from limiting the rental of occupancy of such lodging to its members or from giving preference to its members.”

- (12) Section 7 of Local Law Number 3 of 1990 entitled “Administration” be and is hereby RENUMBERED to Section 8.

- (13) Section 8 of Local Law Number 3 of 1990 entitled “Administration” be and is hereby AMENDED to read as follows:

- a. The authority and responsibility for publicizing, advertising, and promoting this local law shall be the Oswego County Fair Housing Officer, to be appointed by county legislature.

- b. Violations of this local law shall be reported in person or in writing to the Fair Housing Officer within six (6) months of the alleged discriminatory housing practice.
  - c. Where sufficient cause exists to believe that the terms of this local law have been violated, and the complaint is otherwise timely received, the Fair Housing Officer will assist the complainant in filing a complaint with the Fair Housing Council of Central New York and/or the New York State Division of Human Rights and/or the New York State Division of Housing and Community Renewal and/or the Department of Housing and Urban Development against the alleged violator within 120 days following the receipt of the complaint alleging a the violation.
- (14) Section 8 of Local Law Number 3 of 1990, entitled “Miscellaneous Provisions” be and hereby is RENUMBERED as Section 9.
- (15) Section 9 (A) of Local Law Number 3 of 1990 entitled “Miscellaneous Provisions” be and is hereby AMENDED to read as follows:

“The Fair Housing Council may recommend revisions to the Economic, Development and Planning Committee who shall review and consider proposed changes to this local law. The legislature may, on its own initiative, or upon the recommendation of the Economic, Development and Planning Committee, amend, supplement or repeal the provisions of this local law unless the Rules of the County Legislature require additional committee approval.”

Section 3. **Effective Date**

This Local Law shall take effect immediately.