

## ORDINANCE NO. 2019-19

### ***TO AMEND THE ETHNIC INTIMIDATION PROVISIONS IN SECTION 509.07 OF THE CODIFIED ORDINANCES***

WHEREAS, this Council passed Resolution 2019-11 to affirm and expand the City's policy prohibiting discrimination on the basis of race, color, religion, sex, national origin, age, familial status, disability, pregnancy, sexual orientation, gender identity, or gender expression; and

WHEREAS, Council desires to supplement existing state and municipal Ethnic Intimidation prohibitions to provide additional prohibited reasons for the commission of certain crimes.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WESTERVILLE, STATE OF OHIO, THAT:**

**SECTION 1:** That Section 509.07 – Ethnic Intimidation, is hereby amended to read as follows:

#### **“509.07 ETHNIC INTIMIDATION.**

(a) No person shall violate Ohio R.C. 2903.21, 2903.22, 2909.06, 2909.07 or 2917.21(A)(3) to (5) or Sections 503.06, 503.07, 503.13(a)(3) to (5), 509.02, or 509.03 of the General Offenses Code by reason of the race, color, religion, sex, ~~or~~ national origin, age, familial status, disability, pregnancy, sexual orientation, gender identity, or gender expression of another person or group of persons.

(b) Whoever violates this section is guilty of ethnic intimidation. Ethnic intimidation is an offense of the next higher degree than the offense the commission of which is a necessary element of ethnic intimidation.”

**SECTION 2:** That this Ordinance shall take effect and be in force from and after the earliest date allowed by law.

PASSED:

November 19, 2019

Michael Heyeck  
Michael Heyeck  
Chair of Council

APPROVED:

Bruce E. Bailey  
Bruce E. Bailey  
Director of Law

Mary J. Johnston, MMC  
Mary J. Johnston, MMC  
Clerk of Council