

NOTICE OF PUBLIC HEARING
BEFORE THE
CITY AND COUNTY OF BROOMFIELD

DATE: MARCH 24, 2026
TIME: 6:00 p.m.
PLACE: Council Chambers, George Di Ciero City & County Building
One DesCombes Drive
Broomfield, Colorado 80020

Notice is hereby given that a public hearing will be held before the City and County of Broomfield on

ORDINANCE NO. 2296

An ordinance amending the municipal code to prohibit discrimination in housing, employment, and public accommodations within Broomfield.

Be it ordained by the City Council of the City and County of Broomfield, Colorado:

Section 1.

A new Title 18 is hereby added to the Broomfield Municipal Code entitled as follows:

TITLE 18 - Human Rights

Section 2.

A new Chapter 18-01 is hereby added to the Broomfield Municipal Code entitled as follows:

Chapter 18-01 - Prohibition of Discrimination in Housing, Employment, and Public Accommodations

Section 3.

A new Section 18-01-010 - Definitions- is hereby added to the Broomfield Municipal Code as follows:

18-01-010 - Definitions.

The following terms used in this chapter have the following meanings unless the context clearly requires otherwise:

(A) *Age* means age forty years and older.

- (B) *Complainant* means an individual filing a formal charge or accusation of violation of this chapter.
- (C) *Discriminate* means to refuse or deny equal terms, conditions, or privileges.
- (D) *Disability* means a physical or mental impairment that substantially limits one or more of the major life activities, a record of such an impairment, or being regarded as having such an impairment.
- (E) *Employment* means any character of service rendered or to be rendered for wages, salary, commission or other form of remuneration, and to use or engage any character of service rendered or to be rendered for wages, salary, commission or other form of remuneration.
- (F) *Employment agency* means any person undertaking, with or without compensation, to procure employees or opportunities to work for any person or holding itself out as equipped to do so.
- (G) *Marital status* means both the individual status of being single, divorced, separated, or widowed and the relational status of cohabitating and being married or unmarried.
- (H) *Minor child* means a person under eighteen years of age.
- (I) *Person* means any individual, group, association, company, corporation, committee, labor union, partnership, receiver, trustee or unincorporated organization or other legal or commercial entity but shall not include a government entity or agency.
- (J) *Physical or mental disability* means a physical or mental impairment that substantially limits one or more major life activities, a record of such impairment, or being regarded as having such impairment. The term excludes current use of alcohol or drugs or other disabilities that prevent a person from acquiring, renting, or maintaining property, that would constitute a direct threat to the property or safety of others, or that would prevent performance of job responsibilities.
- (K) *Place of accommodation* means any place of business engaged in any sales to the general public and any place that offers services, facilities, privileges, or advantages to the general public or that receives financial support through solicitation of the general public or through governmental subsidy of any kind.

Section 4.

A new Section 18-01-020 - Discrimination in Housing Prohibited is hereby added to the Broomfield Municipal Code as follows:

18-01-020 - Discrimination in Housing Prohibited.

- (A) It shall be a violation of this section for any person to discriminate against or to directly or indirectly adversely or unequally treat any other person with respect to the acquisition, occupancy, use and enjoyment of any housing, including the sale, transfer, rental or lease of such housing, because of such individual's or such individual's friends' or associates' race, creed, color, sex, sexual orientation, gender identity, gender expression, genetic characteristics, marital status, religion, religious expression, national origin, ancestry, immigration status unless otherwise required by law, pregnancy, parenthood, custody of a minor child, disability, source of income, or veteran status.
- (B) Nothing in this section prohibits using a form or making a record or inquiry regarding any protected characteristics for the purpose of required government reporting or for a program to provide housing opportunities for specific groups of individuals.
- (C) The provisions of this section do not apply to:
- (1) Any religious or denominational institution or organization that is operated, supervised or controlled by a religious or denominational organization from limiting admission or giving preference to persons of the same religion or denomination or from making such selection of buyers, lessees or tenants as will promote a bona fide religious or denominational purpose.
 - (2) An owner or lessee from limiting occupancy of a dwelling unit occupied by such owner or lessee as their residence.
 - (3) An owner from limiting occupancy of rooms or dwelling units in buildings occupied by no more than two households living independently of each other if the owner actually maintains and occupies one (1) of such rooms or dwelling units as their residence.
 - (4) An owner or lessor of a housing facility devoted entirely to housing individuals of one (1) sex from limiting lessees or tenants to persons of that sex, provided that people shall be allowed to use a housing facility that is consistent with their gender identity.

(5) The transfer, sale, rental, lease or development of housing designed or intended for the use of individuals with disabilities, but this exclusion does not permit discrimination on any other basis.

(6) Discrimination on the basis of pregnancy, parenthood or custody of a minor child in:

- a. Any owner-occupied lot containing four (4) or fewer dwelling units;
- b. Any residential building in which the owner or lessor publicly establishes and implements a policy of renting or selling exclusively to persons fifty-five (55) years of age or older, but only as long as such policy remains in effect;
- c. Any dwelling unit rented, leased or subleased for no more than eighteen (18) months while the owner or lessee is temporarily absent, when the owner or lessee leaves a substantial amount of personal possessions on the premises;

(D) The provisions of subsection (a) of this section shall not be construed to require an owner or lessor of property to make any improvement to a housing facility beyond minimal building code standards applicable to the housing facility in question and approved by a state or local agency with responsibility to approve building plans and designs.

Section 5.

A new Section 18-01-030 - Discrimination in Employment Practices Prohibited is hereby added to the Broomfield Municipal Code as follows:

18-01-030 - Discrimination in Employment Practices Prohibited.

(A) It shall be a violation of this section for any person who is an employer or employment agency, directly or indirectly, to discriminate against any employee or applicant because of the employee's or applicant's race, creed, color, sex, sexual orientation, gender identity, gender expression, genetic characteristics, marital status, religion, religious expression, national origin, ancestry, immigration status unless otherwise required by law, age 40 years or older, disability, source of income, or veteran status with regard to application for employment, hiring, occupational training, tenure, promotion, compensation, layoff, discharge or any

other term or condition of employment except when based upon a bona fide occupational qualification

- (B) With regard to disability, it is not a violation of this section if the individual, with or without a reasonable accommodation, cannot perform the essential functions of the position the individual holds or desires; or if the individual poses a direct threat, which is a significant risk of substantial harm to the health or safety of the individual or others, that cannot be reduced or eliminated.
- (C) It is not a violation of this section if a religious organization or institution restricts employment opportunities so as to give preference to members of its own religion or denomination or restricts selection in a manner that is reasonably calculated by such organization or institution to promote the religious principles for which it is established or maintained.
- (D) The provisions of subsection (A) of this section concerning discrimination based on marital status do not apply to the provision of employee health or disability insurance.

Section 6.

A new Section 18-01-040 - Discrimination in Public Accommodation Prohibited is hereby added to the Broomfield Municipal Code as follows:

18-01-040 - Discrimination in Public Accommodations Prohibited.

- (A) It is a violation of this section for a person engaged in providing services or accommodations to the public to, directly or indirectly, discriminate against any other individual based on the individual's or the individual's friends' or associates' race, creed, color, sex, sexual orientation, gender identity, gender expression, genetic characteristics, marital status, religion, religious expression, national origin, ancestry, immigration status, disability, source of income or veteran status by refusing to allow the full, lawful, and equal use and enjoyment of the goods, services, facilities, privileges, advantages, including accommodations and the terms and conditions under which the same are made available to the general public.

(B) The provisions of section do not apply to prohibit any religious or denominational institution that is operated, supervised or controlled by a religious or denominational organization from limiting admission to persons of the same religion or denomination as will promote a bona fide religious or denominational purpose.

Section 7.

A new Section 18-01-050 - Retaliation and Interference Prohibited is hereby added to the Broomfield Municipal Code as follows:

18-01-050 - Retaliation and Interference Prohibited

(A) No person shall use a threat, communicated by physical, oral or written means, of harm or injury to another person, such other person's reputation or such person's property, or discriminate against any person because such person has entered into a conciliation agreement under this chapter, because the final or any other ruling in any proceeding brought under this chapter has been in such other person's favor, because such other person has opposed a discriminatory practice, or because such other person has made a charge, filed a complaint, testified, assisted or participated in an investigation, proceeding or hearing before a person charged with the duty to investigate or hear complaints relating to problems of discrimination.

(B) No person shall willfully obstruct, hinder or interfere with the performance or the proper exercise of a duty, obligation, right or power of any official or body charged with a duty, obligation, right or power under this chapter.

Section 8.

A new Section 18-01-060 - Administrator and Investigator; Hearing Officer is hereby added to the Broomfield Municipal Code as follows:

18-01-060 - Administrator and Investigator; Hearing Officer

The City Manager, or designee, shall select a person or persons to serve as administrator and investigator (“Investigator”) and a person to serve as a hearing officer (“Hearing Officer”) who shall carry out all of the duties, obligations, rights or powers under the Administration and Enforcement provisions of this chapter, who may have such title as the manager designates. The selected Investigator(s) and Hearing Officer are authorized to adopt rules to implement the provisions of this chapter, subject to approval by the City Manager or designee.

Section 9.

A new Section 18-01-070 - Administration and Enforcement of Chapter 18-01 is hereby added to the Broomfield Municipal Code as follows:

18-01-070 - Administration and Enforcement of Chapter 18-01.

(A) Any individual claiming to be aggrieved by a violation of this chapter may file a written complaint under oath with City and County of Broomfield:

(1) The complaint shall state:

- a. The name of the alleged violator, or facts sufficient to identify such person;
- b. An outline of the material facts upon which the complaint is based;
- c. The date of the alleged violation;
- d. That any conduct of the complainant was for the purpose of obtaining the housing, employment or public accommodation in question and not for the purpose of harassment or entrapment of the person against whom the complaint is made; and
- e. That a complaint concerning this same matter has not been filed with another agency or court or that any such complaint concerning this matter filed with another agency or court has been dismissed by such agency or court without a final judgment on the merits.

(2) The complaint shall be submitted within the appropriate time periods set forth in section 18-01-080.

(3) No complaint will be accepted if a complaint concerning the same matter is pending before another agency or court, or a final judgment or decision on the merits of the matter has been issued by another agency or court.

- (B) The Investigator, as set forth in Section 18-01-060, shall furnish a copy of the complaint to the person against whom the complaint is made.
- (C) Before conducting a full investigation of the complaint, the Investigator may attempt to negotiate a settlement of the dispute between the parties, if the Investigator deems that such an attempt is practicable.
- (D) If the Investigator does not deem it practicable to attempt a preinvestigation settlement or if such settlement attempt is unsuccessful, the Investigator shall conduct an investigation to determine whether there is probable cause to believe the allegations of the complaint.
- (1) If the Investigator determines there is no probable cause, the Investigator shall dismiss the complaint and take no further action thereon other than that of informing the concerned persons that the complaint has been dismissed.
 - (2) If the Investigator determines that there is a sufficient basis in fact to support the complaint, the Investigator shall endeavor to eliminate the alleged violation by a conciliation agreement, signed by all parties and the Investigator, whereunder the alleged violation is eliminated and the complainant is made whole to the greatest extent practicable.
 - (3) The Investigator shall furnish a copy of such signed conciliation agreement to the complainant and the person charged. The terms of a conciliation agreement may be made public, but no other information relating to any complaint, its investigation or its disposition may be disclosed without the consent of the complainant and the person charged or except as required by law and upon notice to the complainant and the person charged.
 - (4) A conciliation agreement need not contain a declaration or finding that a violation has in fact occurred.
 - (5) A conciliation agreement may provide for dismissal of the complaint without prejudice.
- (E) If the complainant is dissatisfied with a decision by the Investigator to dismiss the complaint under paragraph (d)(1) of this section or if conciliation attempts as provided in paragraph (d)(2) of this section are unsuccessful to resolve the complaint, the complainant may request a hearing before the Hearing Officer, as set forth in Section 18-01-060, who shall hold a hearing. If the Hearing Officer

finds violations of this chapter, they may issue such orders as they deem appropriate to remedy the violations, including, without limitation, orders that:

- (1) Require the person found to have violated this chapter to cease and desist from the discriminatory practice;
 - (2) Provide for the sale, exchange, lease, rental, assignment or sublease of housing to a particular person;
 - (3) Require an employer or employment agency to: reinstate an employee; pay backpay for discriminatory termination of employment, layoff or denial of promotion opportunity; make an offer of employment in case of discriminatory refusal of employment; make an offer of promotion in the case of discriminatory denial of promotion opportunity; or take other appropriate equitably remedial action;
 - (4) Require that a person make available a facility of public accommodation in the case of discriminatory denial of the use of such facility;
 - (5) Require that a person found to have violated this chapter report compliance with the order or orders issued pursuant to this section; and
 - (6) Require that a person found to have violated any provisions of this chapter make, keep and make available to the commission such reasonable records as are relevant to determine whether such person is complying with the orders.
- (F) The decision of the Hearing Officer shall be final. Any party aggrieved by any final action of the Hearing Officer may seek judicial review thereof in the District Court in and for the City and County of Broomfield by filing a complaint pursuant to the Colorado Rules of Civil Procedure 106(a)(4).
- (G) It shall be a violation of this section for any person to fail to comply with an order of the Hearing Officer.
- (H) The City Manager or designee may seek judicial enforcement of any orders of the Hearing Officer.
- (I) No complaint shall be accepted against the City and County of Broomfield or a City and County-appointed agency.

Section 10.

A new Section 18-01-080 - Time Limits for Filing a Complaint is hereby added to the Broomfield Municipal Code as follows:

18-01-080 - Time Limits for Filing a Complaint

(A) Complaints under this chapter must be filed within the following time limits.

(a) Complaints of any alleged violation of section 18-01-020 "Discrimination in Housing Prohibited" must be filed within 365 days of the alleged violation.

(b) Complaints of any alleged violation of section 18-01-030 "Discrimination in Employment Practices Prohibited" must be filed within 180 days of the alleged violation.

(c) Complaints of any alleged violation of section 18-01-040 "Discrimination in Public Accommodations Prohibited" or any alleged violations of section 18-01-050 "Retaliation and Interference Prohibited" must be filed within 60 days of the alleged violation.

(d) Complaints of any alleged violation of section 18-01-070(G), failure to comply with a Hearing Officer order, must be filed within 180 days of the alleged violation.

(B) For the purpose of calculating days under this section, holidays and weekends are included in the calculation, although if the deadline falls on a weekend or holiday in which the City and County offices are closed, the deadline will fall on the next business day.

(C) Any complaint not filed within these time periods shall be barred from any relief under this Chapter and dismissed.

Section 11.

Council shall review this ordinance and determine whether any changes or modifications are needed to its provisions at a public meeting no later than eighteen (18) months from the effective date of this ordinance. Council shall also use the same meeting to discuss the potential establishment of a Human Rights Advisory Board.

Section 12.

This ordinance is effective June 1, 2026.

Introduced and approved after first reading on February 10, 2026, and ordered published in full.

APPROVED AS TO FORM:

/s/ Nancy Rodgers

City and County Attorney

*Bold type indicates new material to be added to the Broomfield Municipal Code.
Dashes through words indicate deletions from the Broomfield Municipal Code.*

Published by title in the Broomfield Enterprise on Sunday, February 15, 2026
Published in full on the Broomfield Website Friday, February 13, 2026