



# CITY OF TUCKER

## Unlawful Discrimination Response Form

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The City of Tucker, Georgia seeks to protect and safeguard the right and opportunity of all persons to be free from unjust discrimination, including discrimination based on actual or perceived sex, sexual orientation, gender identity, race, color, age disability, national origin, religion, marital status, familial status, veteran or military status. Pursuant to Ordinance O2023-05-08, any respondent named in a complaint alleging unlawful discrimination shall have 30 business days to file a response. It is not mandatory that a respondent submit a written response, but respondents so named must comply with any subpoena or notice to attend Municipal Court. This form may be used to file a response, but respondents may choose to submit their own form, provided that any response filed must be verified and submitted to the City Clerk within the time frame indicated above. Submission to the City Clerk must be made by means that allows for verification of the delivery, which includes hand delivery, electronic mail, certified mail, or statutory overnight delivery to: City of Tucker, Attention: City Clerk, 1975 Lakeside Parkway, Suite 350 Tucker, Georgia. Be advised that this form may be subject to public disclosure under the Georgia Open Records Act, O.C.G.A. Section 50-18-70 et. seq.

### SECTION I. Your (Respondent) Contact Information:

_____	_____	
First Name	Last Name	
_____		
Street Address		
_____	_____	_____
City	State	Zip
_____	_____	
Email	Phone	

Are you being represented by an attorney in this matter? If so, please provide your attorney's name and contact information:

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### SECTION II. Exceptions.

There are exceptions to the unlawful discrimination ordinance. Please check the box next to any exception that you believe applies:

- An employer is not required to employ unqualified or incompetent personnel.
- An employer is allowed to require an employee, during the employee's hours at work, to adhere to reasonable and equitable dress or grooming standards not prohibited by other provisions of federal, state or local law, provided that all employees are permitted to dress in a manner consistent with their gender identity.
- A private club in fact not open to the public, which as an incident to its primary purpose provides accommodations and facilities which it owns or operates for other than a commercial purpose, may limit rental or occupancy to its members or give preference to its members.
- An employer's practices in observing the conditions of a bona-fide seniority system or a bona-fide affirmative action plan that is not a pretext to evade the purposes of the ordinance.
- Activities of a religious organization or school or other educational institution if the institution is in whole or substantial part controlled, managed, owned, operated, or supported by a religious organization that do not generate unrelated business taxable income under Section 511(a) of the Internal Revenue Code of 1986.
- Activities protected by the associational rights granted by the Constitution of the United States or the State of Georgia.
- An employer is not required to make changes to any existing facility that would require a building permit, except as otherwise required by the Americans with Disabilities Act or other provisions of law.



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- Housing designated for senior living or for individuals with disabilities, or as otherwise designated or directed by the United States Department of Housing and Urban Development or the State of Georgia and other exceptions included under the Fair Housing Act may not be prevented.
- A place of public accommodation may afford beneficial pricing or policies to senior citizens, veterans, students, families, or individuals with disabilities.
- A place of public accommodation may remove or cause to be removed from such place any person under the influence of alcohol or other drugs, or who is engaged in boisterous conduct or conduct that would constitute criminal activity under any state or federal criminal law, or who violates any regulation of any place of public accommodation that applies to all persons, regardless of sex, sexual orientation, gender identity, race, color, age, disability, national origin, religion, marital status, familial status, veteran or military status.
- Children's clubs, institutions, or membership organizations may restrict non-commercial accommodations, advantages, facilities, membership, and privileges to persons of the same sex, if such sex restriction is fundamental to the nature or purpose of the club, institution, or membership institution.
- It is not prohibited to treat disabled persons more favorably than non-disabled persons or to treat senior citizens more favorably than non-senior citizens.
- It is not prohibited to impose age limits up to age 21.
- There is no application to the owner or lessor of a single-family residential dwelling or lot or an accessory building on such lot where the owner or lessor resides therein or thereon.
- Expressive activities protected by the Constitution of the United States and the State of Georgia

