
DISCRIMINATIONS IN PUBLIC ACCOMMODATIONS AUSTIN CITY CODE CHAPTER 5-2



CITY OF AUSTIN HUMAN RIGHTS COMMISSION

SEPTEMBER 23, 2019

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POLICY

- It is the policy of the City to bring about through fair, orderly and lawful procedures, the opportunity of each person to obtain goods and services in a public accommodation without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability.



POLICY

- This policy recognizes that individuals possess the right to obtain goods and services in a public accommodation without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability.
- This policy also recognizes that denying such rights because of race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability:
 - is detrimental to the health, safety and welfare of the inhabitants of the City and
 - constitutes an unjust denial or deprivation of these inalienable rights within the power and the proper responsibility of government to prevent.



DISCRIMINATION

- The direct or indirect exclusion, distinction, segregation, limitation, refusal, denial or any other differentiation in the treatment of a person because of the individual's race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability in a public accommodation.



PUBLIC ACCOMMODATION

- an inn, hotel, motel or other lodging establishment for transient guests, excluding an establishment:
 - located in a building with five or less rooms for rent or hire and
 - occupied by the owner or operation as a primary residence;
- a restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility principally engaged in selling food for consumption on the premises, including a facility located on the premises of a retail establishment or a gasoline station;
- a movie theatre, theater, concert hall, sports arena, stadium, or other place of exhibition or entertainment;



PUBLIC ACCOMMODATION

- a bar, tavern, pub, drinking establishment, or facility where alcoholic beverages are served for consumption on the premises;
- a retail establishment that sells goods or services; and
- an establishment within an establishment and an establishment which holds itself out as serving patrons of a covered establishment.



REQUIRES

- A person, including the owner, operator, or lessee of a public accommodation **must provide** full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a public accommodation, without discrimination or segregation because of race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability.



PROHIBITS

- A person, including the owner, operator, or lessee of a public accommodation **may not** directly or indirectly exclude, segregate, limit, refuse or deny a person the accommodations, advantages, facilities, benefits, privileges, services, or goods of the public accommodation because of race, color, religion, sex, sexual orientation, gender identification, national origin, age, or disability.



PROHIBITS

- A person, including the owner, operator, or lessee of a public accommodation, **may not** circulate, issue, display, post, mail, or publish a statement, advertisement, or sign that indicates that the:
 - accommodations, advantages, facilities, benefits, privileges, services, or goods will be denied to an individual because of race, color, religion, sex, sexual orientation, gender identification, national origin, age, or disability, or
 - that the patronage or presence of an individual is objectionable, unwelcome, unacceptable, undesirable, or unsolicited because of race, color, religion, sex, sexual orientation, gender identification, national origin, age or disability.

