

## DIVISION 1. DISCRIMINATION IN PUBLIC ACCOMMODATIONS.\* [Note]

### Sec. 27-10. Scope.

(a) This division applies to every public accommodation of any kind in the County whose facilities, accommodations, services, commodities, or use are offered to or enjoyed by the general public either with or without charge, such as:

- (1) restaurants, soda fountains, and other eating or drinking places, and all places where food is sold for consumption either on or off the premises;
- (2) inns, hotels, and motels, whether serving temporary or permanent patrons;
- (3) retail stores and service establishments;
- (4) hospitals and clinics;
- (5) motion picture, stage, and other theaters and music, concert, or meeting halls;
- (6) circuses, exhibitions, skating rinks, sports arenas and fields, amusement or recreation parks, picnic grounds, fairs, bowling alleys, golf courses, gymnasiums, shooting galleries, billiard and pool rooms, and swimming pools;
- (7) public conveyances, such as automobiles, buses, taxicabs, trolleys, trains, limousines, boats, airplanes, and bicycles;
- (8) utilities, such as water and sewer service, electricity, telephone, and cable television;
- (9) streets, roads, sidewalks, other public rights-of-way, parking lots or garages, marinas, airports, and hangars; and
- (10) places of public assembly and entertainment of every kind.

(b) In this Chapter, "public accommodation" includes any service, program, or activity offered to or used by the general public.

(c) This division does not apply to accommodations that are distinctly private or personal. (Mont. Co. Code 1965, § 77-9; Ord. No. 6-43; 1969 L.M.C., ch. 33, § 1; 1972 L.M.C., ch. 21, § 1; 2001 L.M.C., ch. 9, § 1; 2001 L.M.C., ch. 33, § 1.)

### Sec. 27-11 Discriminatory practices.

(a) An owner, lessee, operator, manager, agent, or employee of any place of public accommodation in the County must not, with respect to the accommodation:

(1) make any distinction with respect to any person based on race, color, sex, marital status, religious creed, ancestry, national origin, disability, sexual orientation, or gender identity in connection with:

- (A) admission;
- (B) service or sales; or
- (C) price, quality, or use of any facility or service;

(2) display, circulate or publicize or cause to be displayed, circulated or publicized, directly or indirectly, any notice, communication, or advertisement that states or implies:

(A) any distinction in the availability of any facility, service, commodity, or activity related to the accommodation that would violate paragraph (1), or

(B) that the patronage or presence of any person is unwelcome, objectionable, unacceptable, or not desired or solicited on account of any person's race, color, sex, marital status, religious creed, ancestry, national origin, disability, or sexual orientation;

(3) retaliate against any person because that person:

- (A) lawfully opposed any discriminatory practice under this division; or
- (B) filed a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this division;

#### Sec 27-6 Definitions

*Gender identity* means an individual's actual or perceived gender, including a person's gender-related appearance, expression, image, identity, or behavior, whether or not those gender-related characteristics differ from the characteristics customarily associated with the person's assigned sex at birth.