

MONTGOMERY COUNTY

27-34. OTHER ENFORCEMENT PROCEDURES.

(A) ANY PERSON WHO HAS BEEN SUBJECTED TO ANY ACT OF DISCRIMINATION PROHIBITED UNDER SECTION 27-30 OF THIS ARTICLE SHALL BE DEEMED TO HAVE BEEN DENIED A CIVIL RIGHT AND SHALL BE ENTITLED TO SUE FOR DAMAGES, INJUNCTION OR OTHER CIVIL RELIEF, INCLUDING REASONABLE ATTORNEY'S FEES; PROVIDED, HOWEVER, THAT NO SUIT SHALL BE COMMENCED UNTIL FORTY-FIVE (45) DAYS AFTER A COMPLAINT ALLEGING SUCH AN ACT OF DISCRIMINATION HAS BEEN FILED WITH THE COMMISSION PURSUANT TO SECTION 27-32 AND PROVIDED, FURTHER, THAT IF ANY PROCEEDINGS WITH RESPECT TO SUCH COMPLAINT ARE STILL PENDING BEFORE THE EXECUTIVE SECRETARY OR THE COMMISSION PANEL, THE COURT MAY, IN ITS DISCRETION, STAY PROCEEDINGS BEFORE IT FOR NOT MORE THAN SIXTY (60) DAYS PENDING RESOLUTION OF THE COMPLAINT. IN ADDITION TO ANY JUDICIAL ENFORCEMENT PROVIDED ELSEWHERE IN THIS ARTICLE, IN ANY CASE IN WHICH THE COMMISSION PANEL DETERMINES THAT THE PERSON COMPLAINED AGAINST HAS VIOLATED THIS ARTICLE, THE COMMISSION PANEL MAY CERTIFY THE MATTER TO THE COUNTY ATTORNEY TO SEEK ANY AVAILABLE STATE OR FEDERAL JUDICIAL RELIEF IN ANY COURT OF COMPETENT JURISDICTION ON BEHALF OF THE PERSON SUBJECTED TO SUCH VIOLATION AND, WHERE APPROPRIATE, ON BEHALF OF RESIDENTS OF MONTGOMERY COUNTY SIMILARLY SITUATED.

(B) IN ANY CASE IN WHICH AN EMPLOYER, EMPLOYMENT AGENCY, OR LABOR ORGANIZATION FAILS TO COMPLY WITH AN ORDER OF A COURT ISSUED IN A CIVIL ACTION BROUGHT UNDER SUBSECTION (A), THE COUNTY ATTORNEY MAY COMMENCE PROCEEDINGS TO COMPEL COMPLIANCE WITH SUCH ORDER.

(C) WHENEVER THE COUNTY ATTORNEY HAS REASONABLE CAUSE TO BELIEVE THAT ANY PERSON IS ENGAGED IN A PATTERN OR PRACTICE OF RESISTANCE TO THE FULL ENJOYMENT OF ANY OF THE RIGHTS SECURED BY THIS ARTICLE, THE COUNTY ATTORNEY MAY ORIGINATE A CIVIL ACTION IN THE APPROPRIATE COURT BY SIGNING AND FILING WITH THAT COURT A COMPLAINT SETTING FORTH FACTS PERTAINING TO SUCH PATTERN OR PRACTICE, AND REQUESTING BACK PAY OR SUCH OTHER RELIEF, INCLUDING AN APPLICATION FOR A PERMANENT OR TEMPORARY INJUNCTION, RESTRAINING ORDER OR OTHER ORDER AGAINST THE PERSON OR PERSONS RESPONSIBLE FOR SUCH PATTERN OR PRACTICE, AS ARE DEEMED NECESSARY TO INSURE THE FULL ENJOYMENT OF THE RIGHTS HEREIN DESCRIBED.

27-35. COMPLAINTS AGAINST MONTGOMERY COUNTY OR ANY INSTRUMENTALITY OR AGENCY THEREOF.

IN ANY CASE IN WHICH MONTGOMERY COUNTY OR ANY OF ITS INSTRUMENTALITIES OR AGENCIES IS ALLEGED TO BE IN VIOLATION OF ANY OF THE PROVISIONS OF THIS ARTICLE, A COMPLAINT MAY BE FILED WITH THE COMMISSION AS HEREAFTER PROVIDED OR, AT THE SOLE DISCRETION OF THE AGGRIEVED