

**ORDINANCE**

**SUBJECT: PUBLIC PEACE AND GOOD ORDER – DISCRIMINATION IN HOUSING PROHIBITED**

**COMMITTEE: EXECUTIVE**

**FIRST CONSIDERATION: Rules waived to act on its first reading.**

**FINAL CONSIDERATION: April 20, 2021**

**ORDINANCE # 185 – 4/21 PUBLICATION DATE May 6, 2021**

**The County Board of Supervisors of La Crosse County does ordain as follows:**

**AN ORDINANCE TO AMEND S. 9.06 ENTITLED "DISCRIMINATION IN HOUSING PROHIBITED"  
OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN**

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**ANALYSIS**

- This amendment does not change anything substantive about the intent, policy or procedure of the County's fair housing code. Rather it adds a protected class that is recognized by the State under s. 106.50 that had previously not been updated. The added protected class is "status as a victim of domestic abuse, sexual assault, or stalking".

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**INFORMATION:**

County Board Rules: Governing Body s. 2.02(8) states, in part: Ordinances are drafted by the Corporation Counsel. After the ordinance has been reviewed by a standing committee, each Supervisor will be given a copy of the ordinance showing the deleted language (grayed) and the new language (underlined) and an analysis of the intent of the ordinance. After introduction to the County Board, the ordinance shall be referred to the next monthly meeting unless waived by a 2/3 vote of the Supervisors present and a public hearing may be held if requested by a Supervisor. An amendment may be introduced and debated at either the original or the referred meeting. Copies of the ordinances of the County of La Crosse in their entirety are available with Corporation Counsel, County Clerk, or [www.co.la-crosse.wi.us/code/](http://www.co.la-crosse.wi.us/code/).

(rev. 3/03)

**ORDINANCE #185 - 4/21**

**AN ORDINANCE TO AMEND s. 9.06 ENTITLED "DISCRIMINATION IN HOUSING PROHIBITED" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN**

The County Board of Supervisors of the County of La Crosse does ordain as follows:

**Section 1.** Section 9.06 entitled "DISCRIMINATION IN HOUSING PROHIBITED" is amended to read:

9.06 DISCRIMINATION IN HOUSING PROHIBITED.

(1) POLICY. It is the policy of the County pursuant to the federal and state constitutions, and to its power to protect the public health, safety and general welfare, that all persons, regardless of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, age or ancestry are entitled to an equal opportunity for housing; and to that end, the County enacts this section, which prohibits any person not herein exempted from discriminating against any other person by impairing access to any housing or housing accommodations on any prohibited basis which are listed above, and which creates a Commission with the power and duty to enforce equal opportunity in housing for all citizens of unincorporated areas of the County.

(2) DEFINITIONS.

- (a) "Commission" means the County Commission on Equal Opportunities in Housing, and "Commissioner" means a member thereof.
- (b) "Complainant" means a person who files a complaint alleging discrimination in housing.
- (c) "Disability" means a physical or mental impairment that substantially limits 1 or more major life activities, a record of having such an impairment or being regarded as having such an impairment. "Disability" does not include the current illegal use of a controlled substance, as defined in s. 961.01(4), Wis. Stats., or a controlled substance analog, as defined in s. 961.01(4m), Wis. Stats., unless the individual is participating in a supervised drug rehabilitation program.
- (d) "Discriminate" means to segregate, separate, exclude or treat a person or class of persons unequally in a manner described in sub.(4) because of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, lawful source of income, age, or ancestry.
- (e) "Hearing" means a hearing under the jurisdiction of the Commission, except where otherwise indicated.
- (f) "Housing" means any improved property, or any portion thereof, including a mobile home as defined in Chapter 66 of the Wisconsin Statutes, or condominium, that is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence. "Housing" includes any vacant land that is offered for sale or rent for the construction or location thereon of any building, structure or portion thereof that is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence.

- (g) "Housing for older persons" means any of the following:
  1. Housing provided under any state or federal program that the secretary determines is specifically designed and operated to assist elderly persons, as defined in the state or federal program.
  2. Housing solely intended for, and solely occupied by, persons 62 years of age or older.
  3. Housing primarily intended and primarily operated for occupancy by at least 1 person 55 years of age or older per dwelling unit.
- (h) "Owner-occupied building" means a building used for human habitation in which the owner thereof maintains his/her permanent living quarters.
- (i) "Person" includes any individual, partnership, labor or other association, corporation, legal representative, receiver, trustee, trustee in bankruptcy or other fiduciary, or the lessee, proprietor, manager, employee or any other agent of any such person.
- (j) "Probable cause" means reasonable grounds to believe that a violation of sub. (4) not exempted by sub. (5) may have occurred or may be occurring.
- (k) "Rent" means to lease, to sublease, to let or to otherwise grant for a consideration the right of a tenant to occupy housing not owned by the tenant.
- (l) "Respondent" means the person accused in the complaint or amended complaint of discrimination in housing and any other person identified in the course of an investigation as allegedly having discriminated in housing.
- (m) "Single-occupancy room" means any room which the owner has leased or rented or offered to lease or rent to a sole individual; provided the owner permanently occupies living quarters in the same dwelling.
- (n) "Status as a victim of domestic abuse, sexual assault, or stalking" means the status of a person who is seeking to rent or purchase housing or of a member or prospective member of the person's household having been, or being believed by the lessor or seller of housing to be, a victim of domestic abuse, as defined in s. 813.12 (1) (am), sexual assault under s. 940.225, 948.02, or 948.025, or stalking under s. 940.32.

**Section 2.**  
law.

This Ordinance shall take effect the day after passage and publication as required by

LA CROSSE COUNTY

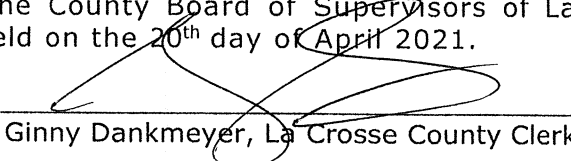
By:   
Monica Kruse, County Board Chair

By:   
Ginny Dankmeyer, County Clerk

PASSED: April 20, 2021  
PUBLISHED: May 6, 2021

STATE OF WISCONSIN  
COUNTY OF LA CROSSE

I, Ginny Dankmeyer, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original ordinance required by law to be in my custody and which the County Board of Supervisors of La Crosse County adopted at a meeting held on the 20<sup>th</sup> day of April 2021.

  
Ginny Dankmeyer, La Crosse County Clerk