

3 **ORDINANCE: Adopt Section 11.18: Fair Housing of the General Code of Winnebago**
4 **County**

6 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

8 **WHEREAS**, Winnebago County has not formally adopted a fair housing ordinance; and

9 **WHEREAS**, it has been the practice of Winnebago County to prevent unlawful discrimination in housing
10 within the County; and

11 **WHEREAS**, the Winnebago County Housing Authority Administrator has informed your undersigned that
12 adopting a formal anti-discrimination ordinance regarding housing is necessary for Winnebago County to continue to
13 obtain grants and funding regarding public housing within Winnebago County; and

14 **WHEREAS**, your undersigned believes that the adoption of said ordinance would serve the best interests
15 Winnebago County.

17 **NOW, THEREFORE, BE IT ORDAINED** by the Winnebago County Board of Supervisors that it hereby
18 creates Section 11.15 of the General Code of Winnebago County which shall read as follows:

20 **11.18 FAIR HOUSING**

21 (1) **STATEMENT OF POLICY:** It is the intent of this subsection to render unlawful discrimination in housing.
22 It is declared the policy of the County that all persons shall have an equal opportunity for housing regardless of sex,
23 race, color, sexual orientation, disability, religion, national origin, marital status, family status, lawful source of
24 income, age, or ancestry.

25 (2) **DISCRIMINATION PROHIBITED:** It is unlawful for any person to discriminate contrary to the
26 provisions of this Chapter.

27 (3) **STATE STATUTE ADOPTED BY REFERENCE:** The provisions of § 106.50, Wis Stats, are hereby
28 adopted by reference. It shall be unlawful for any person to violate such section.

29 (4) **ENFORCEMENT AGENCY:**

30 (a) The Winnebago County Affirmative Action Commission is hereby charged with the responsibility of
31 enforcing the provisions of this article within areas of Winnebago County that have not adopted an anti-discrimination
32 housing ordinance.

33 (b) The powers and duties of the Winnebago County Affirmative Action Commission are as follows:

34 1) To adopt, amend, publish, and rescind rules for governing its meetings and hearings.

35 2) To receive and investigate all complaints alleging any discriminatory practice prohibited by this
36 section. The Corporation Counsel's Office shall work in conjunction with the Affirmative Action Commission in the
37 investigation of said complaints.

38 3) The Affirmative Action Commission shall seek a settlement agreeable to both the complainant and
39 the respondent by means of informal conferences.

40 4) To hold hearings, if necessary, after the efforts at settlement, based on complaints made against
41 any person, to administer oath and take testimony, to compel the production of books, papers, and other documents
42 relating to any matter involved in the complaint, and to subpoena witnesses and compel their attendance.

43 5) To make recommendations for enforcement of this section to the Corporation Counsel.

44 6) To recommend to the Winnebago County Board of Supervisors any legislation necessary to
45 promote and further the purposes of this section.

46 (5) **ENFORCEMENT AND PENALTY:** The following are the procedures for enforcement and penalty
47 involving complaints under this article:

48 (a) **Complaint:** Any complaint alleging any discriminatory practices prohibited by this section shall
49 be reduced to writing and verified by the complainant. Such complaints may be initiated by any person having
50 personal knowledge of the facts constituting the alleged discriminatory practice. All complaints shall contain the
51 following:

52 1) The name and address of the complainant, and of the person allegedly discriminated against, if
53 different.

54 2) The name and address of the respondent or respondents.

55 3) A statement setting forth the facts constituting the alleged discriminatory practice.

56 4) The date or dates of the alleged discriminatory practice.

57 (b) **Where Filed:** Complaints shall be filed with the County Clerk who shall transmit eh same to the
58 Affirmative Action Commission within five (5) business days after receipt.

59 (c) **When Filed:** Complaints alleging any discriminatory practice prohibited by this section shall be
60 filed no later than thirty (30) days after the alleged discriminatory practice occurred.

61 (d) **Notice to Respondent:** The Affirmative Action Commission shall provide a copy of the complaint to
62 the respondent by regular first class mail within ten (10) business days after filing.

63 (6) **JURISDICTION:**

64 (a) This ordinance shall be in effect as to all municipalities in Winnebago County, with the exception of
65 those incorporated municipalities that have adopted similar restrictive ordinances.

66 (7) **PENALTIES:**

67 (A) Penalties under this ordinance may be imposed pursuant to Section 25.04 of the General Code of
68 Winnebago County.

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70 **BE IT FURTHER ORDAINED** by the Winnebago County Board of Supervisors that said ordinance shall take
71 full force and effect as of the date following the date of this publication.

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73 Submitted by:
74 **Michael Norton, District #20**

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76 Vote Required for Passage: **Majority of Those Present**

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78 Approved by the Winnebago County Executive this _____ day of _____, 2012.

79
80 _____
81 Mark L Harris
82 Winnebago County Executive
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