

# TITLE XI

## Chapter 58

### EQUAL RIGHTS, NONDISCRIMINATION AND FAIR HOUSING ORDINANCE

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#### 58.01 PURPOSE.

It shall be the public policy of the City of Blair to provide equal rights and opportunity to all persons regardless of sex, race, color, disability or handicap, creed, religion, national origin, ancestry, marital status, sexual orientation, age or lawful source of income in matters of public employment, public housing, municipal services and the rights and privileges guaranteed by the United States and Wisconsin Constitutions.

#### 58.02 HOUSING STATEMENT OF PURPOSE.

It is hereby declared to be the policy and purpose of the City of Blair to assure equal opportunity to all persons to live in decent housing facilities regardless of sex, race, color, disability or handicap, creed, religion, national origin, ancestry, marital status, sexual orientation, age or lawful source of income and to that end, to prohibit discrimination in housing by any person.

#### 58.03 DEFINITIONS.

- (1) Dwelling shall mean any building, structure or portion thereof which is occupied as, or designated for occupancy as, a residence by one or more families and any vacant land which is offered for sale or lease for the construction thereon of any such buildings or structure.
- (2) Person includes a single individual.
- (3) Family includes one or more individuals, corporations, partnerships, associations, labor organizations, legal trusts, unincorporated organizations, trustees, trustees in bankruptcy and receivers.
- (4) To Rent includes to lease, sub-lease, to let and otherwise grant for consideration the right to occupy premises not owned by the occupant
- (5) Discrimination or Discriminatory Housing Practice means any difference or treatment based upon sex, race, color, disability or handicap, creed, religion, national origin, ancestry, marital status, sexual orientation, age or lawful source of income or any act that is unlawful under this ordinance.

58.04 UNLAWFUL PRACTICES.

In connection with any of the transactions set forth in this section which affect any housing accommodation on the open market or in connection with any public sale, purchase, rental, financing or lease of any housing accommodation, it shall be unlawful within the City of Blair for a person, owner, financial institution, real estate broker or real estate salesman, or any representative of the above to:

- (1) Refuse to sell, purchase, rent or lease or deny to, or withhold any accommodation from a person because of his sex, race, color, disability or handicap, creed, religion, national origin, ancestry, marital status, sexual orientation, age or lawful source of income.
- (2) To discriminate against any person in the terms, conditions or privileges of the sale, purchase, rental or lease of any housing accommodation, or in the furnishing of facilities or services in connection therewith.
- (3) To represent to a person that any housing accommodation is not available for inspection, sale, purchase, rental or lease when, in fact it is so available, or to refuse to permit a person to inspect any housing accommodation because of his sex, race, color, disability or handicap, creed, religion, national origin, ancestry, marital status, sexual orientation, age or lawful source of income.
- (4) To make, publish, print, circulate, post or mail or cause to be made, published, printed, circulated, posted or mailed, any notice, statement or advertisement, or to announce a policy, or to sign or to use a form of application for the sale, purchase, rental, lease or financing of any housing accommodation, or to make a record of inquiry in connection with the prospective sale, purchase, rental, lease or financing of any housing accommodation, which indicates any discrimination or any intent to discriminate.
- (5) To induce directly or indirectly, or attempt to induce directly or indirectly, the sale, purchase, rental or lease for the listing for any of the above, of any housing accommodation by representations regarding the entry of prospective entry into the neighborhood of a person or person of a particular sex, race, color, disability or handicap, creed, religion, national origin, ancestry, marital status, sexual orientation, age or lawful source of income.
- (6) To retaliate or discriminate in any manner against a person because he has opposed a practice declared unlawful by this article, or because he has filed a complaint, testified, assisted in or participated in any manner in any investigation proceedings, hearing or conference under this ordinance.
- (7) For any bank, building, loan association, insurance company or other corporation, association, firm or enterprise, whose business consists in whole or in part, in the making of commercial real estate loans, to deny a loan or other financial assistance to a person applying therefore for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling, or to discriminate against him in the fixing of the amount, interest rate, duration, or other terms or conditions of such loans or other financial assistance because of the sex, race, color, disability or

handicap, creed, religion, national origin, ancestry, marital status, sexual orientation, age or lawful source of income, or any person associated with him in the connection of such loan or other financial assistance or the purpose or for the present or prospective owners, lessees, tenants, or occupants of the dwelling or dwelling in relation to which such loan or other financial assistance is to be made or given.

- (8) To deny any qualified person access or membership or participation in any multiple listing service, real estate brokers organization, or other service, organization or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions, or such access, membership or participation, on account of sex, race, color, disability or handicap, creed, religion, national origin, ancestry, marital status, sexual orientation, age or lawful source of income.

#### 58.05            EXEMPTIONS.

- (1) A religious organization, association or society, or any nonprofit institution or organization operating, supervised or controlled by or in conjunction with the religious organization, association or society, which limits the sale, rental or commercial purposes to persons of the same religion, or which gives preference to such persons, unless membership in such a religion is restricted, on account of sex, race, color, disability or handicap, creed, religion, national origin, ancestry, marital status, sexual orientation, age or lawful source of income.
- (2) A private club not in fact open to the public, which is an incident to its primary purpose or purposes, provides lodgings which it owns or operates for other than a commercial purpose and which limits the rental or occupancy of such lodgings to its members or gives preference to its members.
- (3) Any single-family house sold or rented by an owner: provided, that such private individual owner does not own more than three (3) such single-family houses at any one (1) time; provided further, that, in case of the sale of any such single-family house by a private owner not residing in such house at the time of sale, or who was not the most recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one such sale within a twelve (12) month period; provided further, that such private individual owner does not own any interest in, nor is there owned or served on his behalf, under any express or voluntary agreement titled to or any right to all or a portion of the proceeds from the sale or rental or, more than three (3) such single-family houses at any one time.
- (4) Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four (4) families living independently of each other, or if the owner actually maintains and occupies one of such living quarters as his residence.

#### 58.06            PROCEDURE.

Any person aggrieved by an unlawful practice prohibited by this ordinance may file a complaint with the Chairperson of the Trempealeau County Housing Authority thirty (30) days after the aggrieved person becomes aware of the alleged unlawful practice has occurred. The Chairperson of the Trempealeau County Housing Authority shall receive each complaint and attempt to resolve each complaint. Failure to achieve a resolution acceptable to both parties and compliance with this

ordinance shall cause the Chairperson of the Trempealeau County Housing Authority to forward the complaint and findings to appropriate state and federal agencies.

58.07                    PENALTIES.

Any person violating this ordinance shall be subject to a forfeiture of not less than \$100.00, nor more than \$1,000.00, for each offence. Failure to pay the forfeiture, upon conviction, will result in the issuance of a Civil Commitment Order