

ORDINANCE NO.: 4837

AN ORDINANCE to amend and create portions of Section 22 of the Code of Ordinances of the City of La Crosse to protect people from discrimination based on gender identity or expression.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Section 22-22 is hereby amended to read as follows:

Sec. 22-22 Declaration of policy

The practice of providing equal opportunities in housing, places of public accommodations and amusement, and City facilities without regard to sex, race, religion, color, national origin or ancestry, age, disability, marital status, lawful source of income, physical appearance, sexual orientation, gender identity or expression, political activity, familial status, or the fact that such person is a student as defined herein is a desirable goal of the City of La Crosse and a matter of legitimate concern to its government. Discrimination against any of La Crosse's citizens or visitors endangers the rights and privileges of all. Denial of equal opportunity in housing compels individuals and families who are discriminated against to live in dwellings below the standards to which they are entitled. Denial of equal opportunity in public accommodations subjects those discriminated against to embarrassment and creates distress and unrest within the community. Provision for adequate safeguards against such discrimination is a proper and necessary function of City government. In order that the peace, freedom, safety and general welfare of all inhabitants of the City may be protected and ensured, it is hereby declared to be the public policy of the City of La Crosse to foster and enforce to the fullest extent the protection by law of the rights of all of its inhabitants to equal opportunity to housing, the use of City facilities and places of public accommodations and amusement without regard to sex, race, religion, color, national origin or ancestry, age, disability, marital status, lawful source of income, physical appearance, sexual orientation, gender identity or expression, political activity, familial status, or the fact that such person is a student as defined herein.

SECTION II: The definition of "Discriminate" or "Discrimination" in Section 22-20 is hereby amended to read as follows:

"Discriminate" and "discrimination" mean to segregate, separate, exclude or treat any person or class of persons unequally because of sex, race, color, disability, sexual orientation, gender identity or expression, religion, national origin or marital status of the person maintaining a household, familial status, lawful source of income, age or ancestry, domestic partners, political activities or student status. It is intended that the factors set forth herein shall be the sole basis for prohibiting discrimination.

SECTION III: A new definition is hereby created in Section 22-20 as follows:

Gender identity or expression shall mean a person's gender-related self-identity, appearance, expression or behavior, regardless of the person's sex at birth.

SECTION IV: Section 22-25(b) (5) Housing Discrimination Prohibited Exceptions are hereby amended to read as follows:

- (5) Requiring References. Nothing in this section prohibits an owner or agent, from requiring that any person who seeks to buy, rent or lease housing supply information concerning family, marital, financial and business status but not concerning race, color, physical condition, developmental disability as defined in Wis. Stat. 51.01(5), sexual orientation, gender identity or expression political beliefs or creed.

SECTION V: Section 22-25(c) Housing Discrimination Prohibited Representations Designed to Induce Panic Sales is hereby amended to read as follows:

(c) Representations Designed to Induce Panic Sales. No person may induce or attempt to induce any person to sell, rent or lease any dwelling by representations regarding the present or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, national origin, sexual orientation, gender identity or expression, political beliefs, student status, or economic status, or by representations to the effect that such present or prospective entry will or may result in:

- (1) The lowering of real estate values in the area concerned;
- (2) A deterioration in the character of the area concerned;
- (3) An increase in criminal or antisocial behavior in the area concerned; or
- (4) A decline in the quality of the schools or other public facilities serving the area.

SECTION VI: Section 22-26(1) and (2) Public Place of Accommodations or Amusement are hereby amended to read as follows:

- (1) For any person to deny to another, or charge another a higher price than the regular rate for the full and equal enjoyment of any public place of accommodation or amusement because of her/his sex, race, religion, color, national origin or ancestry, age, disability, marital status, domestic partnership status, lawful source of income, physical appearance, sexual orientation, gender identity or expression, political activity, familial status or the fact that such person is a student as defined herein.

- (2) For any person to directly or indirectly publish, circulate, display, or mail any written communication which s/he knows is to the effect that any of the facilities of any public place of accommodation or amusement will be denied to any person by reason of her/his sex, race, religion, color, national origin or ancestry, age, disability, marital status, domestic partnership status, lawful source of income, physical appearance, sexual orientation, gender identity or expression, political activity, familial status or the fact that such person is a student as defined herein, or that the patronage of a person is unwelcome, objectionable or unacceptable for any of these reasons. (2nd Am. Ord. #4262 - 7/14/05)

SECTION VII: Section 22-27 City Facilities is hereby amended to read as follows:

It shall be an unfair discrimination practice and unlawful and hereby prohibited for any person, public official, employee, agent, agency, authority, board, commission or committee of the City of La Crosse to deny any person, the use of City facilities or otherwise discriminate against any person in the use of City facilities because of sex, race, religion, color, national origin or ancestry, age, disability, marital status, lawful source of income, physical appearance, sexual orientation, gender identity or expression, political activity, familial status or the fact that such person is a student as defined herein.

SECTION VIII: Section 22-27 Retaliation or Retaliatory Discrimination Prohibited is hereby created to read as follows:

Sec. 22-28. Retaliation or Retaliatory Discrimination Prohibited.

It shall be unlawful to retaliate or discriminate against any person on account of having inquired into or having claimed a violation of this Ordinance.

SECTION IX: This ordinance shall take effect after its passage and publication.

_____/s/_____
Timothy Kabat, Mayor
_____/s/_____
Teri Lehrke, City Clerk

Passed: 9/11/14
Approved: 9/15/14
Published: 9/20/14